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THE U. S. IN THE ALLIED ADMINISTRATION OF AUSTRIA

by Velma Hastings Cassidy

The article below surveys the establishment of Allied administration in Austria from the earliest planning for quadripartite control of Austria to the adoption of the new control agreement of June 28, 1946.

The March meeting of the Council of Foreign Ministers at Moscow will, it is hoped, foreshadow the end of the Allied administration of Austria. As a preliminary to this meeting, the Foreign Ministers' deputies met in London from January 14 to February 25 to prepare an Austrian draft treaty. Agreement was reached by the deputies on a substantial number of clauses of the original draft treaties submitted by the United States, British, and French Governments. A prospective treaty would provide for recognition of a sovereign, independent, and democratic Austria and the termination of military occupation within 90 days from the date on which the treaty becomes effective.

The Governments of the United States, the United Kingdom, the Union of Soviet Socialist Republics, and the French Republic have declared that they wish to see reestablished a free and independent Austria and thereby to open the way for the Austrian people themselves to find that political and economic security which is the only basis of lasting peace.

The United States, in particular, has maintained that a treaty should be made with Austria restoring its full sovereignty and terminating the military occupation which has constituted one of the chief obstacles to a peacetime recovery of the country. In a recent address former Secretary of State Byrnes stated that he had urged persistently since last winter that deputies be appointed to start work on the Austrian treaty.¹

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Although Austria is a small country (approximately the size of North Carolina), with an area of 32,000 square miles and a population of less than 7 million, it occupies a position of particular significance in world affairs, chiefly because of its central position in Europe. It stretches, on its long east-west axis, from the edge of the Slav lands to within 100 miles of the French frontier. This strategic crossroads location has been an essential element in determining Austria's history in the past, and today it gives the country a similar special importance in the solution of all central-European problems.

Completely absorbed within Hitler's Germany following the *Anschluss* of March 1938,² Austria suffered seven years of Nazi subjugation. At the end of the war the Austrian people were liberated from German domination by the victories of the Allies. The Austrians are now eager "to be liberated from their liberators". At a ceremonial meeting of the Austrian Houses of Parliament on October 30, 1946, Chancellor Leopold Figl emphasized the need for the restoration of full Austrian sovereignty. (The following is a translation of excerpts from Dr. Figl's remarks.)

"What is sovereignty? Sovereignty does not only mean that a country has its own government,

¹ Address delivered by Secretary Byrnes at Cleveland, Ohio, on Jan. 11, 1947 (BULLETIN of Jan. 19, 1947, p. 87).

² For text of federal constitutional law proclaiming the "reunion of Austria with the German Reich", see *Press Releases* of Jan. 1, 1938, p. 374.

a parliament which passes laws and is able to decide on minor matters of administration. Sovereignty means that the country is master in its own house. . . .

"On this occasion of the 950th anniversary of Austria, the oldest state in Europe, we once again appeal to the world public. We thank you for having liberated us, and we ask you to crown the work by giving us freedom."

The reconstruction of Austria as an independent democratic state was agreed to by the Governments of the United States, the Soviet Union, and the United Kingdom in the Moscow Declaration of November 1, 1943³ and accepted by the French Committee of National Liberation on November 16, 1943.⁴ The Four Powers have shared the view that Austria, the first free country to fall a victim to Hitlerite aggression, should be liberated from German domination; that the annexation imposed upon Austria by Germany in March 1938 should be regarded as null and void; and that they should be bound in no way by any changes effected in Austria since that date.

The American Government has frequently reaffirmed its adherence to this original Allied definition of Austria as a country liberated from forcible domination by Nazi Germany and has maintained that at no time should the conditions imposed on Austria be such as to prejudice her progress toward freedom and independence.⁵ The basic objectives of American policy in Austria are as follows:

1. Reestablishment of Austria as a free and independent state in fulfillment of the Moscow Declaration of November 1, 1943.
2. Creation of conditions for the maintenance of a democratic state and society in Austria.
3. Assurance to Austria of a basis for a healthy economic structure which will enable Austria to become independent of outside relief in the shortest possible time.
4. Restoration of Austria in the community of nations with a status of equality with other members.

Formulation of Plans for Occupation of Austria

So far as the Americans and British were concerned, the Combined Chiefs of Staff at first proposed that the Allied Planning Organization in England should coordinate arrangements for the occupation of Austria with those for Germany and that Austria should be initially under the

Mediterranean command, since forces for the occupation of Austria could be more quickly provided from the Italian theater.

The European Advisory Commission (created by the Moscow Conference of November 1943) was organized early in 1944 in London, with American, British, and Soviet delegates, and started consideration of agreements for the occupation of German-dominated countries.

Actual detailed planning for military government of Austria began in England on April 10, 1944 under an informal agreement between Supreme Headquarters, Allied Expeditionary Force in England, and the Supreme Allied Commander in the Mediterranean.

By March 1945 the European Advisory Commission (EAC) had outlined arrangements for the four-power occupation of Austria within its 1937 frontiers by the American, British, French and Soviet forces, one zone to be allotted to each power and Vienna to be jointly administered.

The detailed planning of military government by the American and British elements was practically completed when the war in Europe ended. Personnel was being gathered, and a training school was in operation in Italy. Early in February the U. S. Planning Staff in London had started its movement to Italy, and the British followed in March and April.

The course of events in early April 1945, however, forced drastic changes in the original plans and resulted in the transfer of control from the Mediterranean to the European theater of operations (SHAEF). Soviet forces at that time were rapidly pushing westward across Hungary. They crossed the Austrian border and captured Vienna on April 13, 1945.

The weakening resistance of the *Wehrmacht* in Germany indicated that Austria could probably be invaded from the northwest more easily than from the south. It was therefore decided that part of General Eisenhower's forces would turn south and attempt to break into Austria before the Germans could assemble their forces in the mountain masses of southern Bavaria and western Austria, the so-called "redoubt".

³ BULLETIN of Nov. 6, 1943, p. 310.

⁴ Declaration issued at Algiers by the French Committee of National Liberation.

⁵ For latest statement, "United States Policy on Status of Austria," see BULLETIN of Nov. 10, 1946, p. 864.

The transfer of responsibility for U.S. participation in the occupation of Austria from the Mediterranean to the European theater was complete, except that the Mediterranean theater was directed to furnish the military-government personnel and the headquarters staff for the occupation forces. The SHAEF military-government staff in mid-April began preparing directives for the U.S. military-government personnel in Austria, but the planning for Austria on a national level continued in the EAC and in Italy.

Early in May the U.S. element of Headquarters, 15th Army Group in the Mediterranean theater of operations, commanded by Gen. Mark W. Clark, was reorganized into Headquarters, U.S. Forces in Austria (USFA). General Clark, as Commanding General of the United States forces of occupation in Austria, was designated as United States member of the Allied Council of the Allied Commission for Austria, which was to exercise supreme authority in Austria. On July 6 command of the U.S. occupation forces in Austria passed from SHAEF to USFA, and in the first week of August 1945 USFA headquarters were moved from Italy to Salzburg.

Beginnings of Military Government in Austria

The initial or assault phase of military government in Austria technically ended on V-E Day,⁶ but it was necessary to continue tactical military government for a few weeks. The first members of the U.S. military government planning staff arrived in Austria at the end of May 1945. Conditions in the country were badly confused. Business and industry were at a complete standstill. Civil postal, telephone, and telegraph services were cut off. Many of the rail lines were out of operation. Road transport and movement on foot were restricted to four miles from the place of residence. Food and fuel were critically short. Water supply in the cities was contaminated. Courts and schools were closed. There were $\frac{1}{4}$ million German prisoners. In the area occupied by the U.S. forces, 700,000 alien displaced persons and refugees and approximately 200,000 Austrian refugees were superimposed on a normal population in this area of $1\frac{3}{4}$ million.

All forms of organized government had broken down. Government offices had been closed, and their records and files to a great extent destroyed.

The higher-ranking Nazi officials had fled to the mountains or had taken refuge in communities where they were not known to the population.

The commanders of military units assigned to the area took charge and ruled the civil population by martial law. Military-government (MG) detachments followed closely the advancing U.S. troops and on June 1, 1945 assumed responsibility for governing the U.S. zone of Austria according to the previously made plans. A directive⁷ (JCS 1369) outlining the basic policies for the military, political, and economic treatment of those portions of Austria under American jurisdiction, to be urged upon the other occupying powers for common agreement (prepared by the State-War-Navy Coordinating Committee), was transmitted to General Clark by the Joint Chiefs of Staff on June 27, 1945.

Trained MG teams gradually reestablished orderly civil administrations at the *Land* (state), *Bezirk* (county), and *Gemeinde* (community) levels. Provisional Austrian executive committees for each *Land*, *Bezirk*, and *Gemeinde* were convened, and they recommended to MG authorities suitable Austrian heads for each local governmental unit. The local MG teams retained full control of both policy and operations, and actively supervised the conduct of local government functions.

Control Machinery and Zones of Occupation in Austria

Early in June 1945 a joint British, French, and American reconnaissance party was sent to Vienna to survey the situation there and to discuss occupation arrangements with the Soviets. On the basis of the report made by this party, EAC agreements were concluded on July 4, 1945 setting up control machinery for the occupation of Austria by the Four Powers and on July 9 providing for quadripartite zonal administration.⁸

The agreement of July 9, 1945 on zones of occupation in Austria provided that forces of the United States, the United Kingdom, the Soviet

⁶ For text of act of unconditional military surrender signed in Berlin, May 8, 1945, see BULLETIN of July 22, 1945, p. 106.

⁷ BULLETIN of Oct. 28, 1945, p. 661.

⁸ For texts of two statements summarizing the agreements, see BULLETIN of Aug. 12, 1945, p. 221. A new, more liberal control-machinery agreement was signed at Vienna on June 28, 1946.

[ALLIED COUNCIL]

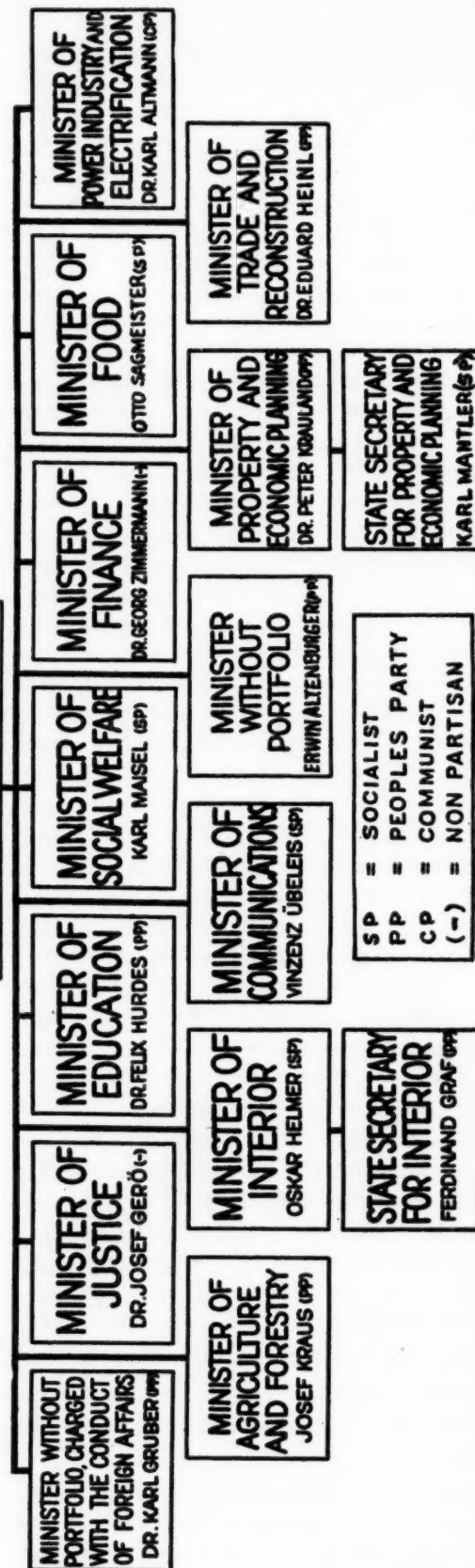
THE AUSTRIAN GOVERNMENT

PRESIDENT OF THE FEDERAL REPUBLIC
DR. KARL RENNER (SP)

PARLIAMENT	
NATIONAL ASSEMBLY (165 MEMBERS)	GENERAL ASSEMBLY (50 MEMBERS)

FEDERAL CHANCELLOR AND FOREIGN MINISTER
ING. LEOPOLD FIGL (PP)

VICE CHANCELLOR
DR. ADOLF SCHÄRF (SP)



SP	=	SOCIALIST
PP	=	PEOPLES PARTY
CP	=	COMMUNIST
(-)	=	NON PARTISAN

USFA ORGANIZATION, RESPONSIBILITIES, AND FUNCTIONS OF THE UNITED STATES ELEMENT, ALLIED COMMISSION FOR AUSTRIA

U.S. HIGH COMMISSIONER
DEPUTY U.S. COMMISSIONER

ASSISTANT TO THE DEPUTY U.S. COMMISSIONER

1. Coordinates and directs divisions of the U.S. Element of the Allied Commission for Austria in the negotiation of allied policies with other allied nations
2. Executes with other occupying powers agreed policies through Austrian central authorities.
3. Prepares policies conforming to U.S. views
4. Coordinates the execution, implementation and supervision of approved U.S. and Allied Council policies
5. Coordinates all military government matters including civilian supplies situated outside areas in Austria occupied by U.S. troops

EXECUTIVE DIVISION

1. Coordinates among the divisions of USACA Section matters pertaining to the U.S. Element of the Allied Commission for Austria.
2. Exercises staff supervision and supervises the preparation of policy material and reports
3. Does operational functions and processes special projects.

LEGAL DIVISION

1. Gives legal advice at every military government echelon
2. Drafts military legislation, organizes military government courts, supervises and reviews their proceedings
3. Coordinates supervision and review of military personnel and progression reports from the Austrian military government
4. Eliminates from the laws all provisions which constitute discrimination on the ground of race, creed or political opinion
5. Reviews cases of all persons held in detention on political grounds
6. Recommends regarding the detention trial and extraditions of war criminals

FINANCE DIVISION

1. Advises on all financial matters, occupational, domestic and foreign, involving Austria
2. Coordinates policies and advises on budget matters for
3. Arranges for the supplying of Austrian currency and postage stamps for the use of U.S. Forces

INTERNAL AFFAIRS DIVISION

1. Prepares policy matters and coordinates all matters pertaining to Education, Public Safety, Religion, Public Welfare, Public Health, Communications, Civil Service and Local Government
2. Advises Military Government agencies in applying approved policies throughout U.S. Zone in Austria.

ECONOMICS DIVISION

1. Supervises and indirectly controls the restitution of Austrian economy.
2. Collects and evaluates economic data and initiates essential projects and programs
3. Plans and supervises in the field of economics
4. Advises on matters relating to economic recovery
5. Coordinates economic matters with other allies

NAVAL DIVISION

1. Prepares policies concerning and advises on demilitarization of ex-enemy naval craft and installations and concerning disposition of ex-enemy naval war materials
2. Coordinates administration of U.S. Naval personnel in Austria.
3. Represents in the U.S. Navy authorities on matters of U.S. Naval interest in Austria.

POLITICAL DIVISION

1. Provides political information and advice
2. Formulates U.S. policy on political and international affairs of Austria

REPARATIONS, DELIVERIES AND RESTITUTION DIVISION

1. Advises on and prepares policies on reparation and restitution
2. Applies directives and procedures implementing announced policies of restitution, reparations, monuments, and fine arts and archives
3. Maintains an office of record of all properties taken under control of the United States Occupied Austria.
4. Effectuates the transfer of property to owner nations
5. Classify and inventory properties which are subject to restitution or for redistribution of Austrian economy or to be used against reparation accounts

LABOR DIVISION

1. Establishes policies relating to wages, hours, conditions of work, rationing, social insurance, shelter, clothing and other labor regulations as part of establishing labor policies for the whole civilian economy.
2. Coordinates military employment and general labor policies on a quadripartite level and with Austrian labor agencies.

DISPLACED PERSONS DIVISION

1. Prepares and advises on policies pertaining to housing, feeding, welfare and reparation of displaced persons, Disarmed Enemy Forces and Austrian Refugees.
2. Prepares and keeps records regarding status and repatriation of Displaced Persons, Disarmed Enemy Forces and Austrian Refugees

CIVILIAN SUPPLY DIVISION

1. Determines requirements and supervises distribution of food, clothing and medical supplies
2. Coordinates with relief agencies concerning importing relief supplies into Austria
3. Prepares instructions pertaining to receipt, storage, and distribution of Civil Affairs Military Government supplies

TRANSPORTATION DIVISION

1. Advises on and prepares policies concerning civil transportation throughout Austria
2. Formulates transportation policy for and executes staff supervision of all forms of civil transport including restoration of services and rehabilitation of physical properties

MILITARY DIVISION

1. Advises on and prepares policies concerning demilitarization of Austria and the destruction and disposition of military equipment
2. Investigates matters pertaining to Austrian demilitarization

AIR DIVISION

1. Handles all matters pertaining to aviation and aviation facilities both military and civilian
2. Formulates policies and publishes directives concerning aviation in Austria

Footnote: Responsibilities Common to all Divisions

ALL DIVISIONS

1. Supervise Austrian Governmental Agencies in carrying out the policies approved by the Allied Council.
2. Implement the decisions of the Allied Council, Executive Committee, and the U.S. Commissioner on matters pertaining to the U.S. Zone.
3. Represent the U.S. at Quadripartite Division meetings.

Union, and the Provisional Government of the French Republic should occupy separate zones in Austria as follows:

The northeastern (Soviet) zone will consist of the province of Lower Austria, with the exception of the city of Vienna, that part of the province of Upper Austria situated on the left bank of the Danube, and the province of Burgenland.

The northwestern (United States) zone will consist of the province of Salzburg and that part of the province of Upper Austria situated on the right bank of the Danube.

The western (French) zone will consist of the provinces of Tyrol and Vorarlberg.

The southern (United Kingdom) zone will consist of the province of Carinthia, including Ost-Tyrol, and the province of Styria, except the area of the Burgenland.

The city of Vienna, jointly occupied by the armed forces of the Four Powers, in their respective sectors, was to be administered by an inter-Allied governing authority, composed of four Commandants operating under the general direction of the Four-Power Allied Council.

In accordance with the agreement of July 4, 1945 on control machinery in Austria, supreme authority was to be exercised jointly by the four Military Commissioners, as members of the Allied Council, in respect of matters affecting Austria as a whole, and, subject to this, full legislative, executive, and judicial authority was to be exercised by each Commissioner in his own zone of occupation. A quadripartite Executive Committee and four national elements (staffs) appointed by the governments concerned were to be responsible for advising the Allied Council and carrying out its decisions.

The primary tasks of the Allied Commission for Austria were defined as follows:

To achieve the separation of Austria from Germany;

To secure the establishment, as soon as possible, of a central Austrian administrative machine;

To prepare the way for the establishment of a freely elected Austrian Government;

Meanwhile, to provide a satisfactory interim administration of Austria.

The American, British, and French Headquar-

ters in Austria moved to Vienna late in August and Vienna was placed under quadripartite control on September 1, 1945, and the Allied Council held its first official meeting September 11. The task of four nations attempting to reconstruct a war-torn country on the basis of a quadripartite interpretation of democracy was under way.

Provisional Austrian Government

The provisional Austrian Government was set up by the Soviets under Dr. Karl Renner in April 1945 and was reconstituted by the Austrian Provincial Conference of September 24-26, 1945 so as to broaden the basis of its political representation. An early constructive accomplishment of the Allied Council was the authorization on October 20, 1945 of the extension throughout the whole of Austria of the power of the Provisional Government subject to the guidance and control of the Allied Council as the supreme authority in Austria.⁹ The four occupying powers recognized the Provisional Government subject to the provision that national elections would be held not later than December 1945.

Austrian Federal Government

On November 25, 1945 the Austrians held a free and fair election for a national parliament and for provincial legislatures. The political campaign was conducted in an orderly manner, and the election itself was held in a way which reflected credit on the Austrian people, especially in view of the fact that they had been deprived of political freedom for seven years. Approximately 93 percent of the registered vote was cast. The People's Party won a majority of seats in the *Nationalrat* or lower house of Parliament (85 seats in a total of 165) and in all of the provincial legislatures except those of Vienna and Carinthia, which went Socialist. The Socialist Party was second in the *Nationalrat*, with 76 seats, and the Communist Party, with 4 seats, was third.

Land MG teams in the U.S. zone aided in the preparations of the Provisional Austrian Government for the elections of November 25, but the period of active MG participation in the actual operations of Austrian local government agencies terminated after the elected Federal and *Land* officials took office in December 1945. MG then assumed its present function, to study, observe, and report on the conduct of local government affairs by the Austrian administrators in the U.S.

⁹ BULLETIN of Oct. 21, 1945, p. 612.

zone. This is performed at the Federal, *Land*, and *Bezirk* levels, and involves constant observation and discussion of their operations with the appropriate Austrian officials.

The elected Federal Government was organized a week before Christmas 1945. Dr. Karl Renner became Federal President, and *Ing.* (Engineer) Leopold Figl, of the People's Party, became Federal Chancellor. The Cabinet was organized on a coalition basis, with representatives of all three parties. The four occupying powers extended *de jure* recognition of the Republic on January 7, 1946,¹⁰ and later exchanged political representatives with the Austrian Government.¹¹

Constitutional Basis of the Government

On April 27, 1945 the three anti-Nazi parties in Austria adopted a five-point proclamation which declared the 1938 annexation of Austria by Germany to be null and void and designated Austria a democratic Republic to be organized in the spirit of the Constitution of 1920.

The Provisional Government of Austria endorsed this three-party proclamation as its initial basis for constitutional legality. This declaration of Austrian independence was submitted to the elected *Nationalrat* and was approved in the opening session of December 19, 1945.

Subsequent to that initial proclamation, the Provisional Government of Austria issued several transitional constitutional laws to provide for legal continuity with the former Austrian Republic and to define more precisely the constitutional framework of the new state. The general purposes underlying this constitutional legislation were (1) to be guided by the old Constitution of 1920 in its amended form of 1929; (2) to pass certain emergency decrees indispensable for the immediate period of reconstruction after defeat; and (3) to leave the form of a final constitution up to the Federal Parliament after the elections.

For example, the Provisional Government on May 13, 1945 adopted a transitional constitutional law declaring the Constitution of the former Republic in its 1929 form to be "in force" again, together with all other Federal laws and decrees issued under that Constitution prior to March 5, 1933. By the same measure, all constitutional laws and legislative as well as executive decrees issued after March 5, 1933 were abrogated. This measure disposed of the authoritarian, corporative

Constitution of 1934 passed by the Dollfuss government as well as all Nazi legislation passed since March 13, 1938.

The Provisional Government also adopted on May 13, 1945 a transitional constitutional law in the form of a draft "Temporary Constitution". This draft set up provisions for the authorities and functions of the new Austrian Government within the general framework of the old Constitution. It stated, however, that the powers assumed by the Government under this draft were temporary and that it would be left to a freely elected Federal Parliament to decide whether the final constitutional form of the new Austrian state should follow in every respect the Constitution of 1920 as amended. These transitional constitutional laws were submitted to the *Nationalrat* at its first session on December 19, 1945 and were approved.

The first national elections in Occupied Austria on November 25, 1945 were based in general on the electoral provisions of the old Constitution in its amended form of 1929. The most important deviation was the denial to former members of the Nazi Party of the right to vote and to be elected. The subsequent convening of the new Federal Parliament, the appointment of a new Federal Chancellor, and the election of a Federal President also followed the procedures laid down in the amended Constitution of 1929.

The new Austrian Government has also indicated that it still considers valid the law adopted by the former Austrian Republic on April 3, 1919 (and incorporated in the old Constitution as article 149, i) concerning the expulsion from Austria of members of the Hapsburg family who have not declared their loyalty to the Republic. In connection with this law the Federal Ministry of the Interior, with the consent of the Allied occupation authorities, on January 18, 1946 took measures to expel members of the House of Hapsburg who had returned to Austria illegally, and to disband

¹⁰ For announcement of recognition by the United States, see BULLETIN of Jan. 20, 1946, p. 81.

¹¹ For announcement of appointment of John G. Erhardt as U. S. Political Representative to the Austrian Government, serving simultaneously as Political Adviser to General Clark, and of Ludwig Kleinwaechter as Austrian Representative in the United States, see BULLETIN of Feb. 3, 1946, p. 177. Mr. Erhardt presented his credentials as American Minister to Austria on Sept. 7, 1946, and Mr. Kleinwaechter presented his credentials as Austrian Minister to the United States on Dec. 4, 1946.

the chief organization agitating for the restoration of the monarchy in Austria, the Federal League of Austrians.

At its meeting on March 25, 1946, the Allied Council, because of the Soviet veto, failed to approve the interim constitution submitted by the Austrian Government. At the same time the Council requested the Government to submit a new constitution by July 1, 1946.

The Austrian Government did not produce a new constitutional document when the deadline of July 1, 1946 arrived, and no further action has been taken on this matter. For all practical purposes, therefore, the Austrian Constitution is that of 1920 as amended in 1929, with supplementary constitutional laws passed since the liberation. None of the political groups has indicated that it favors any radical departures from this old Constitution.

Control Agreement for Austria, June 28, 1946

The control-machinery agreement for Austria which was signed in the EAC on July 4, 1945 provided (article 14) that a new agreement was to be made after a freely elected Austrian Government had been established and recognized by the Four Powers.

After long quadripartite study and discussion, the new agreement was completed, and it was signed in Vienna on June 28, 1946 by the four Allied Commanders in Chief on behalf of their respective governments.¹² It is one of the most important administrative measures that has come before the Allied Commission.

The primary tasks of the Allied Commission are defined in article 3 as follows:

"(a) To ensure the enforcement in Austria of the provisions of the Declaration on the Defeat of Germany signed at Berlin on 5th June, 1945;¹³

"(b) To complete the separation of Austria from Germany, and to maintain the independent existence and integrity of the Austrian State, and pending the final definition of its frontiers to ensure respect for them as they were on 31st December, 1937;

"(c) To assist the Austrian Government to recreate a sound and democratic national life based on an efficient administration, stable economic and

financial conditions and respect for law and order

"(d) To assist the freely elected Government of Austria to assume as quickly as possible full control of the affairs of state in Austria;

"(e) To ensure the institution of a progressive long-term educational program designed to eradicate all traces of Nazi ideology and to instill into Austrian youth democratic principles."

The Allied Commission for Austria is composed of the Allied Council, the Executive Committee, and the staffs. The authority of the Allied Commission in matters affecting Austria as a whole continues to be exercised by the Allied Council, or the Executive Committee, or the staffs appointed respectively by the Four Powers, when acting jointly; and the decisions of any component part of the Commission must be unanimous. Each High Commissioner may be assisted in the Allied Council by a political adviser and/or a military adviser who may be respectively the diplomatic or political representative of his Government in Vienna or the Commander in Chief of the forces of his Government in Austria. Members of any body of the Allied Commission may be either military or civilian.

Within their respective zones of occupation in Austria and Vienna, as defined in the EAC agreement of July 9, 1945, the High Commissioners, one appointed by each of the Four Powers, insure the execution of the decisions of the Allied Commission and supervise the activities of the central Austrian authorities. They also insure that the actions of the Austrian provincial authorities deriving from their autonomous functions do not conflict with the policy of the Allied Commission.

The Executive Committee, composed of one deputy of each of the High Commissioners, acts on behalf of the Allied Council in matters delegated to it by the Council, insures the implementation of its own decisions and those of the Council, and supervises the activities of the staffs of the Allied Commission.

The staffs of the Commission are organized into the following eight divisions which correspond to one or more ministries or departments of the Austrian Government: Internal Affairs (Interior and Chancery, except Foreign Department); Political (Chancery, Foreign Department); Legal (Law and Justice); Finance (Finance); Education (Public Education and Religious Affairs); Social Administration (Social Administration); Eco-

¹² BULLETIN of July 28, 1946, p. 175.

¹³ BULLETIN of June 10, 1945, p. 1061.

conomic (Economic Planning and Property Control; Commerce and Reconstruction; Food; Agriculture and Forestry; and Electrification and Power); and Transport and Communications (Transportation); and the following five divisions which do not parallel any Austrian ministry or department: Reparations, Deliveries, and Restitution; Prisoners of War and Displaced Persons; Naval; Military; and Air.

These divisions, each headed by four Allied directors collectively known as the Directorate of that division, maintain contact with the appropriate departments of the Austrian Government and take such actions and issue such directions as are required within the policy approved by the Allied Council or the Executive Committee.

The Allied Secretariat consists of four national secretaries, each of whom serves in turn for one month as the chief secretary, this rotation corresponding to that of the chairmanship of the Allied Council. The functions of the Secretariat are as follows:

(a) To prepare all papers, documents, and subjects which are to be considered by the Allied Council and Executive Committee.

(b) To prepare the official minutes of the meetings of the Allied Council and Executive Committee.

(c) To receive, process, and distribute all correspondence, documents, and other papers directed to the Allied Council and the Executive Committee.

(d) To serve as the channel of communication between the Allied Council and the four national elements, the thirteen quadripartite divisions of the Commission, the Vienna Inter-Allied Command, the Austrian Government, and all outside governments, agencies, and individuals.

As a transitional measure pending final agreement among the Four Powers on a treaty with Austria, the new control agreement constitutes a definite step toward the goal of restoring Austrian sovereignty, since it reduces the authority of the Allied Council and increases the administrative, legislative, and commercial responsibility of the Austrian Government so far as possible under continued military occupation.

The authority of the Austrian Government is extended fully throughout the state subject only to the reservations that the Austrian Government (1)

is required to carry out any directions received from the Allied Commission and (2) may not take action without the prior written consent of the Allied Commission with respect to such occupation activities as demilitarization and disarmament, the protection and restitution of property belonging to Allied nationals, the disposal of German property in accordance with existing agreements between the Allies, and the care of prisoners of war and displaced persons.

Article 6 of the new control agreement gives the Austrian Government a large measure of legislative freedom and provides that only constitutional laws will require the written approval of the Allied Council. International agreements may be made with one or more of the Four Powers without Allied Council approval, but the Austrian Government is required to communicate such agreements to the Allied Council for its information. All legislative measures and international agreements except agreements with one of the Four Powers, are submitted to the Allied Council by the Austrian Government before they take effect or are published in the State Gazette, but these measures and agreements become effective automatically 31 days after the time of receipt unless unanimously vetoed by members of the Allied Council. Unanimous veto by the Allied Council is necessary to nullify Austrian legislation of a non-constitutional nature. Laws of a constitutional nature, however, must have unanimous approval by the Allied Council before promulgation by the Austrian Government.

Article 7 clarifies Austria's legal status and promotes the recognition of Austrian independence by other countries. It authorizes the establishment of diplomatic and consular relations between Austria and the governments of the United Nations, but the establishment of diplomatic and consular relations with other governments is subject to the prior approval of the Allied Council.

The agreement provides that, in order to facilitate the full exercise of the Austrian Government's authority equally in all zones and in order to promote the economic unity of Austria, the Allied Council will ensure the removal of all restrictions on the movement within Austria of persons, goods, and other traffic, so that the zonal barriers will have no other effect than to indicate the spheres of authority and responsibility of the respective

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THE UNITED NATIONS

Submission of U.S. Draft Trusteeship Agreement for Japanese Mandated Islands

STATEMENT BY U.S. REPRESENTATIVE¹

Mr. President, the United States, like other nations adhering to the United Nations Declaration of January 1, 1942, subscribed to the Atlantic Charter principle that "their countries seek no aggrandizement, territorial or other."

It was for the purpose of making clear that the United States adheres unswervingly to this principle that the President of the United States on November 6, 1946 declared our intentions regarding Pacific islands whose control by Japan enabled her to attack the United States. The President said:

"The United States is prepared to place under trusteeship, with the United States as the administering authority, the Japanese Mandated Islands and any Japanese islands for which it assumes responsibility as a result of the second World War. In so far as the Japanese Mandated Islands are concerned, this Government is transmitting for information to the other members of the Security Council (Australia, Brazil, China, Egypt, France, Mexico, the Netherlands, Poland, the Union of Soviet Socialist Republics, and the United Kingdom) and to New Zealand and the Philippines a draft of a strategic area trusteeship agreement which sets forth the terms upon which this Government is prepared to place those islands under trusteeship. At an early date we plan to submit this draft agreement formally to the Security Council for its approval."

Final disposition of islands belonging to Japan must, of course, await the peace settlement with Japan. The draft trusteeship agreement submitted to the Security Council for its approval re-

lates only to the former Japanese Mandated Islands, which never belonged to Japan but were a part of the League of Nations mandate system. The United States has consistently and strongly supported the position of the General Assembly that former mandated territories should be placed under the trusteeship system as soon as possible.

The General Assembly, at the first part of its first session, called on "those members of the United Nations which are now administering territories held under mandate" to undertake practical steps for the implementation of article 79 of the Charter. Since the United States was, and is, occupying the territory formerly mandated to Japan, the United States desired to play its part in attaining the objectives of the General Assembly resolution, namely that trusteeship agreements for all former mandated territories should be concluded promptly and the trusteeship system organized as soon as possible.

The Japanese Mandated Islands—the Marshalls, Marianas, and Carolines—consist of some 98 islands and island clusters with a total land mass of only 846 square miles, a total population of only about 48,000 native inhabitants, and negligible indigenous economic resources.

The tremendous strategic value of the Mandated Islands to Japan is evident, however, in the way these islands were used in carrying out its basic plan of aggression. Before Japan entered the war on December 7, 1941, she had established fortified positions, naval bases, and air bases in the islands of the Japanese Mandates. As a whole, the islands formed a deep, well-defended barrier between the United States and Guam, the Philippines, and its British and Dutch Allies in the Far East.

The major part of the Japanese submarines which participated in the attack on Pearl Harbor staged through Kwajalein in the Marshall

¹ Made before the Security Council on Feb. 26, 1947, and released to the press by the U.S. Delegation to the United Nations on the same date. Warren R. Austin is the U.S. Representative to the United Nations.

Islands. From this same base, Japanese submarines continued to carry out extensive operations against the United States shipping in the eastern half of the Pacific Ocean for years.

Air bases and amphibious staging points in the Marianas facilitated the capture of Guam in December 1941.

Air forces and naval forces operating from the Marshalls were used in the capture of Wake Island.

On the outbreak of war, the Japanese Mandated Islands, with their naval and air forces and shore defenses, served to screen and protect the southward advance of the Japanese against the Philippines and British and Dutch possessions in the southwestern Pacific Ocean.

The Palau group in the western Carolines served as the main forward support base for the attack on the Netherlands East Indies and Timor.

It was this interlocking network of naval and air bases in the Mandated Islands that prevented sending early and effective support to China except by circuitous and highly difficult routes.

The atoll of Truk was used by the Japanese as a great naval and air base from which they launched their attacks against New Britain, New Ireland, New Guinea, and the islands of the Solomons chain. It was a base for their projected attack against Australia. From Truk and other bases Japanese naval and air forces could and did penetrate to the eastward to threaten the Allied lines of communications between the United States, Australia, and New Zealand.

Until they were reduced, or by-passed and rendered innocuous by air and naval attack, the Mandated Islands threatened our lines of communications to Australia and prevented our early return to the aid of the Philippines and to China. It was only after neutralization of Truk and capture of Peleliu and Angaur in the Palaus that it was feasible to return to the Philippines, and it was only after capture of the Marianas that serious military pressure could be placed on Japan itself by our B-29's.

Tens of thousands of American lives, vast expenditures of treasure, and years of bitter fighting were necessary to drive the Japanese aggressors back from these islands. These islands constitute an integrated strategic physical complex vital to the security of the United States.

The American people are firmly resolved that this area shall never again be used as a springboard

for aggression against the United States or any other member of the United Nations.

Most of the strategically important areas of the world, including those in the Pacific, are at present under the exclusive sovereignty of various of the larger nations. The United States, however, is proposing trusteeship rather than annexation as the basis for its administration of these highly strategic islands.

In undertaking to place under trusteeship a territory of such strategic importance to the United States as these islands, the United States is expressing its faith in the United Nations.

Our purpose is to defend the security of these islands in a manner that will contribute to the building up of genuine, effective, and enforceable collective security for all members of the United Nations.

The first of the four basic objectives of the trusteeship system set forth in article 76 of the Charter is "to further international peace and security". Since the area of the former Japanese Mandated Islands is of paramount strategic importance, the United States proposes, in accordance with article 82 of the Charter, that the trust territory be designated a strategic area.

In preparing this draft trusteeship agreement, the Government of the United States gave long and careful study not only to the Charter as a whole and to its specific provisions for strategic needs in special areas, but also to the draft agreements for non-strategic areas recently submitted to the General Assembly by five of the mandatory powers. This draft trusteeship agreement is viewed by the Government of the United States as conforming, in substance and in form, with the Charter and as promoting the interests both of the inhabitants of the islands and of the United Nations. It contains the terms upon which the United States is prepared to administer the former Japanese Mandated Islands as a trust territory.

In conformity with the provisions of the Charter for strategic areas the trust territory will contain bases. Many atolls in the territory have potential value as base sites or as anchorages. Few such sites, however, are being developed and maintained at present.

The United States will administer this strategic trust territory in accordance with the provisions of the Charter. In particular, the United States will administer the territory in accordance with the

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obligations contained in article 2, paragraph 4, to "refrain . . . from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

The United States as administering authority will insure that this trust territory shall play its part in the maintenance of international peace and security in accordance with its obligation under article 1 of the Charter—"to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace". Its administration will also be in accordance with article 84 of the Charter, relating to the part to be played by trust territories "in carrying out the obligations towards the Security Council" of the administering authority.

The United States intends, therefore, to include this trust territory as fully as those territories under its sovereignty in the special agreement or agreements it will conclude with the Security Council for the provision to the United Nations of "armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security" as envisaged under article 43 of the Charter.

Pending conclusion of these permanent agreements under article 43 the United States will undertake that these islands play their part in whatever action the United States may be called upon to take in accordance with the obligations imposed by article 106 relating to transitional security arrangements.

The United States draft agreement provides that the administering authority may from time to time specify certain areas as closed for security reasons. This provision will not, of course, prejudice the full application to the entire trust territory of all international control and inspection measures that become part of a system of international control of atomic energy, other weapons of mass destruction, and conventional armaments.

The United States is willing to submit to international supervision, as provided in the agreement, the political, economic, social, and educational development of the inhabitants of the trust territory. It is equally willing to submit military and naval installations to whatever degree of supervision and control may be provided by agree-

ments for the international control of armaments and armed forces.

In preparing this draft trusteeship agreement the Government of the United States bore constantly in mind article 73 of the Charter:

"Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants".

The United States Government believes that the draft trusteeship agreement now before you conforms fully with this principle in its provisions for the political, economic, social, and educational advancement of the inhabitants of the trust territory.

Although this is a strategic area vital to that system of international peace and security to which articles 73 and 76 refer, the United States draft agreement goes beyond the requirements of the Charter in strategic areas: It provides that articles 87 and 88—relating to reports, petitions, visits, and questionnaires in non-strategic trusteeship areas—shall be applicable to the whole of this trust territory, except that the administering authority may determine the extent of applicability in any areas which may from time to time be specified by the administering authority as closed for security reasons. This exception has been made in recognition of the fact that an administering authority of a strategic trust territory should have the authority necessary to safeguard the installations established in the discharge of its responsibilities for the maintenance of international peace and security.

It is true that the fulfilment of the basic objectives of the trusteeship system will depend in all trust territories—and this territory is no exception—upon the good faith of the administering authority as well as upon effective supervision by the United Nations.

I can assure you on behalf of the Government of the United States that the United States will faithfully support the principle of effective supervision by the United Nations as fully in this trust territory as in any other trust territory within the limits imposed by its obligation to administer

this area in such a way as to preserve the security of the United States and to strengthen collective security under the United Nations.

Articles 6 and 7 of the draft trusteeship agreement submitted to the Security Council contain strong provisions relating to the political, economic, social, and educational advancement of the inhabitants of this territory and to guaranties of their basic human rights. These are the fundamental objectives of the trusteeship system, aside from the strengthening of international peace and security. The United States is glad to invite the members of the Security Council to make a searching examination of the provisions contained in these articles not only in relation to the requirements of the Charter but in relation to the comparable provisions of the trusteeship agreements approved by the General Assembly last December. The United States believes these articles, taken together with other provisions of the draft agreement, provide a maximum degree of protection for the welfare and advancement of the inhabitants of these islands.

The United States believes it has fulfilled the requirements of article 79 of the Charter, first by transmitting copies of a draft trusteeship agreement for the former Japanese Mandated Islands to all members of the United Nations which, in the view of the Government of the United States, may have special interests in these islands, and now by formally submitting the draft agreement to the Security Council for its approval.

The United States Government does not consider that there is any barrier to the placing of these islands under trusteeship in accordance with the Charter whenever the Security Council approves the draft agreement.

As a result of the war, Japan has ceased to exercise, or to be entitled to exercise, any authority in these islands. The islands were entrusted to Japan under mandate from the League of Nations following the first World War. In utter disregard of the mandate Japan used the territories for aggressive warfare, contrary to the law of nations, against the United States and others of the United Nations. By Japan's criminal acts of aggression, she forfeited the right and capacity to be the mandatory of the islands. The termination of Japan's status as mandatory in the islands has been frequently affirmed, as in the Cairo Declaration of 1943,¹ subsequently reaffirmed in the Potsdam

Declaration² and in the instrument of surrender accepted by the powers responsible for Japan's defeat.³

All authority in these islands is now exercised by the United States. The United States in repelling Japanese aggression occupied, and is in possession of, the former Japanese Mandated Islands. This Government is not aware that any other member of the United Nations has asserted any claim for trusteeship of these islands. All the members which may have special interests in the islands have been sent copies of the draft agreement which the United States, as the responsible administering authority in the islands, has submitted to the Security Council.

Under the above circumstances, it is the view of this Government that the conclusion of a trusteeship agreement, pursuant to the Charter, for the former Japanese Mandated Islands clearly can take effect at this time and does not depend upon, and need not await, the general peace settlement with Japan.

The United States Government considers that it has fulfilled its immediate responsibility to the United Nations by having responded on last November 6 to the call of the General Assembly and by taking this occasion today to submit the draft agreement to the Security Council and to present some of the more important aspects of the agreement.

The United States Government will continue to administer the former Japanese Mandated Islands in the spirit of the proposed trusteeship and in conformity with the provisions of the draft agreement which implement the basic objectives of the trusteeship system during the time these proposals are under consideration.

It is the profound belief of the Government of the United States and of the American people that the administration of these islands by the United States in accordance with the terms of this draft agreement would contribute both to the maintenance of international peace and security and to the well-being and advancement of the inhabitants of the islands.

¹ *Toward the Peace* (Department of State publication 2298), p. 14.

² For proclamation defining terms for Japanese surrender, see BULLETIN of July 29, 1945, p. 137; for Tripartite Conference at Berlin, see BULLETIN of Aug. 5, 1945, p. 153.

³ BULLETIN of Sept. 9, 1945, p. 362.

EXPLANATORY COMMENTS ON DRAFT AGREEMENT¹

On Article 1

The entire territory of the Pacific Islands is designated as strategic under the provisions of article 82 of the Charter in order to enable the United States to safeguard its own national security and at the same time to discharge its obligations for general security under the United Nations. The importance of these requirements was clearly shown in the last war.

It should be noted, of course, that the geographical extent of the trust territory is based upon the mandate formerly held by Japan. The three archipelagos in the trust territory include 98 islands and island clusters, with a total land area of 846 square miles inhabited by 48,297 natives. This agreement applies only to the Japanese Mandated Islands and does not apply to any islands under Japanese sovereignty for which the United States may become responsible.

On Article 2

Although the United States has not been the mandatory power responsible for these islands, the United States was primarily responsible for their liberation, is presently responsible for their administration, and considers them essential to the security of this country and to the maintenance of international peace and security. For these reasons this Government considers that the United States should be designated as the sole administering authority. Such a designation is in accord with action recently taken by the General Assembly with respect to the several trusteeship agreements, wherein in each case a single member of the United Nations is designated as the administering authority.

On Article 3

This article is similar to the relevant provision of article XXII of the Covenant of the League of Nations and of the terms of the original "C" Mandates, as well as to corresponding articles in the trusteeship agreements recently approved by

¹ Excerpts from U.S. Delegation document US/S/119 of Feb. 26, 1947. For text of draft agreement, see BULLETIN of Nov. 17, 1946, p. 889; for an article on trusteeship by Ralph J. Bunche see BULLETIN of Dec. 30, 1945, p. 1037.

the General Assembly. The words "as an integral part" of the United States are carried over from the original mandate to Japan and appear in other trusteeship agreements approved by the General Assembly. The phrase does not, of course, imply sovereignty over the territory.

On Article 4

This article explicitly places the United States under obligation to apply the objectives of the international trusteeship system to the people of the trust territory. Since these objectives were designed primarily for the protection and benefit of the inhabitants, this undertaking on the part of the United States is of fundamental importance. In articles 5, 6, 7, and 8 the draft agreement outlines the specific measures by which the United States proposes to implement these objectives.

On Article 5

This article specifies the military measures which the United States may take in the trust territory to assist in the maintenance of international peace and security and to safeguard the security of the United States.

Similar provisions are contained in the trusteeship agreements approved by the General Assembly.

Since, according to article 84 of the Charter, it is "the duty of the administering authority to insure that the trust territory shall play its part in the maintenance of international peace and security," this article has been designed to list some of the powers necessary to fulfil that obligation and any obligation assumed under article 43 of the Charter.

On Article 6

These provisions elaborate the general objectives of article 76 (b) of the Charter and constitute a considerable advance over the terms of the original mandate.

This article refers to the development of the people of the territory as being directed specifically toward "self-government" rather than "self-government or independence" incorporated in article 76 (b) of the Charter. This article is not a

prior judgment of the ultimate status of the trust territory but merely reflects its sparse, highly scattered population, its relatively underdeveloped, indigenous central government, and its lack of economic resources.

On Article 7

There were no comparable guaranties of freedom of speech, of the press, of assembly, and of migration and movement in the original mandate. The present article adds "freedom of migration and movement" to the other freedoms referred to in the agreements approved by the General Assembly. The provision that these freedoms are subject not only to the requirements of public order, as in other trusteeship agreements, but also to the requirements of security, is considered necessary in view of the fact that the trust territory is a strategic area.

The right of petition is provided for in article 13 of this agreement.

On Article 8

1. The intent of this paragraph is to insure the greatest freedom of international participation in the economy of the trust territory consistent with the basic prerequisite of insuring that its role as a strategic area is not interfered with. Accordingly, it provides for most-favored-nation rather than national treatment in the territory for all members of the United Nations.

The United States does not intend to take advantage for its own benefit of such meager and almost non-existent resources and opportunities as may exist in these scattered and barren islands.

The Charter makes a specific exception to the application of economic principles affecting members of the United Nations when the area concerned is a strategic one. This exception is contained in article 83 (2) of the Charter of the United Nations, which provides that the basic objectives of article 76 "shall be applicable to the people of each strategic area" rather than to the territory as a whole or to people in other territories. Article 76 (d) also provides that the objectives contained therein shall not prejudice "the attainment of the foregoing objectives", including that of international peace and security. Since security is the overriding consideration in a strategic area, economic treatment is required which will be compatible with this objective.

2. This provision is in accordance with article 76 (d) of the Charter and insures equal treatment for the nationals of all members of the United Nations in the administration of justice.

3. The purpose of this provision is to state explicitly what has already been accepted in international practice; namely, that air-traffic rights which concern the picking up and discharge of passengers, mail, and cargo are subject to specific bilateral agreements. Thus, irrespective of what form of economic treatment for non-territorial interest might be provided in any trusteeship agreement, air-traffic rights would remain subject to bilateral agreements. Air-transit rights, on the other hand, are covered by the Chicago convention on international civil aviation, a multilateral agreement.

4. The intent of this paragraph is to protect the interests of the inhabitants of the trust territory in the economic treatment and other rights which they may obtain outside the trust territory. Since this agreement applies to a strategic area, the rights of other members of the United Nations in the territory are of a most-favored-nation character. The paragraph, therefore, provides that the United States may negotiate and conclude appropriate international agreements which will attain for the inhabitants of the trust territory most-favored-nation treatment by members of the United Nations. In addition, it provides that the Security Council or, at its invitation, other organs of the United Nations may recommend what other rights the inhabitants of the trust territory should acquire in consideration of the rights obtained by members of the United Nations in the trust territory.

On Article 9

This article should be read in connection with article 3 of the draft agreement, which provides in part that the administering authority shall have full powers of administration over the territory as an integral part of the United States. Both articles 3 and 9, it should be noted, are made subject to the terms of this agreement. The substance of article 9 permits customs, fiscal, or administrative union or federation with other territories under United States jurisdiction. It is practically identical with similar provisions in four of the agreements approved by the General Assembly. Provision for such union or federation is obviously desirable to insure the efficient administration of

such island areas as Saipan which will face many problems common to the nearby island of Guam. However, such a provision does not imply sovereignty over the trust territory.

On Article 10

This article, which is permissive in character, seems particularly appropriate for the trust territory in that it offers the inhabitants an opportunity to benefit from association with other peoples who face similar problems. Such association would enable them to develop a regional economy, to take advantage of technical studies on common problems, and to participate effectively in furthering their own development. The advantages of regional organization have been demonstrated by the Caribbean Commission. Similar developments are also under way in the South Pacific.

On Article 11

1. The status of citizenship will tend to create a common bond among peoples who otherwise might feel no unity and consequently would have difficulty in working toward the objectives of the trusteeship system as set forth in article 76 of the Charter.

Diplomatic and consular protection of the inhabitants of the trust territory when outside the territorial limits of the trust territory or of the territory of the administering authority serves not only to provide a necessary service but also to establish the rights of the inhabitants under international law.

On Article 12

This article constitutes an international commitment upon the part of the United States to implement by legislation the provisions of the trusteeship agreement.

On Article 13

The intent of this paragraph is to insure that the functions of the Trusteeship Council in regard to non-strategic trust territories may be appropriately applied to the strategic trust territory covered by this agreement.

The Charter itself provides for supervision over strategic areas in only the most general terms. Article 83 states merely that "All functions of the United Nations relating to strategic areas . . . shall be exercised by the Security Council" and that "The Security Council shall . . . avail

itself of the assistance of the Trusteeship Council to perform those functions . . . relating to political, economic, social, and educational matters in the strategic areas." No indication is given as to what those "functions" should be. Accordingly, article 13 of the draft agreement provides that articles 87 and 88 of the Charter—relating to reports, petitions, visits, and questionnaires concerning non-strategic areas—shall be applicable to the trust territory, even though it is designated as a strategic area, except that the administering authority may determine the extent of applicability in any areas which may, from time to time, be specified by the administering authority as closed for security reasons.

This exception has been made in recognition of the fact that an administering authority of a strategic trust territory should have, in the discharge of its responsibilities for the maintenance of international peace and security, the authority necessary to safeguard the installations established for that purpose. It is permitted under article 83 (3) of the Charter, which wisely provides that the functions of the Trusteeship Council in strategic areas shall be "subject to the provisions of the trusteeship agreements and without prejudice to security considerations".

Article 13 of the draft agreement states only that the extent of applicability of article 87 and 88 of the Charter may, in "closed" areas, be determined by the administering authority. Hence, even in such areas the Trusteeship Council can, and normally would, be authorized to request and consider reports submitted by the administering authority, to accept petitions and examine them in consultation with the administering authority, and otherwise to keep itself informed of the political, economic, social, and educational development of the inhabitants.

Any agreement arising out of (a) the regulation of armaments, including the principle of inspection, or (b) the assignment of forces and facilities to the Security Council under article 43 of the Charter would apply to the strategic areas of the Japanese Mandated Islands in the same way as to any United States territory.

On Article 14

This provision will secure for the inhabitants of the territory the benefits of all appropriate inter-

national conventions and recommendations, including agreements which already exist as well as those which may be adopted in the future by the United Nations and its specialized agencies.

On Article 15

Under this provision, the United States as the administering authority of the trust territory would occupy the same position with respect to amendment of this agreement as the administer-

ing authorities of other trust territories with respect to the agreements for those territories.

On Article 16

This article merely defines the steps necessary for the agreement to come into force under the Charter of the United Nations and the Constitution of the United States. Article 83 of the Charter provides that the terms of trusteeship agreements relating to strategic areas must be approved by the Security Council.

U.S. Participation in International Refugee Organization

THE PRESIDENT'S RECOMMENDATION TO THE CONGRESS¹

To the Congress of the United States of America:

I recommend that the Congress authorize the United States to participate as a member of the International Refugee Organization.

As an aftermath of the war, there are more than one million displaced persons remaining in Germany, Austria, and Italy. Almost two thirds of these are under United States care and control. The Allied military victory over the Axis Powers brought with it a practical and moral responsibility with reference to these victims of the Axis.

The General Assembly of the United Nations has considered the problem of these displaced persons carefully and at great length. At the first session in London, certain basic principles were established. It was agreed that this problem is international in scope and nature; that every effort should be made to facilitate the repatriation of displaced persons who desire to return to their homelands; that displaced persons who have valid objections to return should not be forced to do so, but should be cared for by an international agency until new homes can be found for them elsewhere. Between the January and October sessions of the General Assembly, the Economic and Social Council made a detailed study of the entire problem and recommended the establishment of an International Refugee Organization which would provide an integrated and effective solution. At the meeting of the General Assembly in New York which ended in December, the draft constitution recommended by the Economic and

Social Council was adopted. The United States Representative to the United Nations, Senator Warren Austin, signed the constitution of the International Refugee Organization subject to subsequent approval by the Congress.

This constitution represents an earnest effort by the United Nations to solve one of the most poignant and difficult problems left in the wake of the war. The organization to be created will have no governmental powers. It can in no way alter the statutes of any of its members. It can obtain funds only by appropriations by the constitutional processes of its members. It will be solely a service organization to aid in the solution of a common problem. I am confident that with the full support of the United States the International Refugee Organization will demonstrate the practical effectiveness of cooperation and understanding among nations. The participation of this Nation in the Organization was proposed in my budget message for the fiscal year 1948, and provision was made for the necessary funds within the proposed budget.

With respect to those displaced persons in our own areas of occupation, the United States Army has an excellent record of performance in a field which is not traditionally the responsibility of soldiers. The Army from the first recognized the need for making the maximum use of international civilian agencies, and has done so. With the

¹ Released to the press by the White House Feb. 24, 1947.

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forthcoming termination of the supply of civilian personnel from other organizations now used in the care and supply of displaced persons, I believe that it is of the utmost importance that the International Refugee Organization be established as soon as possible. It would indeed be serious if it were not in a position to begin operations on July 1 of this year.

It is not unreasonable that many of the other potential members of the International Refugee

Organization should watch closely the attitude of the United States before making their own definite commitments. I feel sure that with the firm and prompt leadership of the United States, this organization will be in a position to function as an international body to perform an essentially international service.

HARRY S. TRUMAN

THE WHITE HOUSE
February 24, 1947

Congressional Hearings on IRO Constitution

LETTER FROM THE SECRETARY OF STATE TO SENATOR VANDENBERG¹

February 24, 1947

DEAR SENATOR VANDENBERG:

I would be grateful if you would bring to the attention of the Committee on Foreign Relations the following remarks pertaining to S.J. Res. 77, a bill to authorize U.S. membership in the International Refugee Organization. I regret that the intensive preparations required for the forthcoming meeting of the Council of Foreign Ministers in Moscow make it impossible for me to present these views in person.

At the climax of the war in Europe, on April 20, 1945, to be exact, I transmitted to the leaders of the Congress an urgent message from the Supreme Commander of the Allied Expeditionary Force. In that message General Eisenhower referred to the "unspeakable conditions" found in the concentration camps then being liberated by our advancing armies. He invited the Congressional leaders to make a flying trip to Germany to see for themselves "the full evidence of the cruelty practiced by the Nazis in such places as normal procedure."

With a deep sense of responsibility, a bi-partisan committee of twelve Senators and Representatives dropped their current business and departed by air for Germany. They saw for themselves; and through their eyes, the whole country saw too. The report of this joint committee, signed by all twelve members, ranks in my opinion as an his-

toric document. It described vividly the tragic plight of those who were victimized by the Nazis. It recorded firm determination to do every thing possible to right the appalling wrongs perpetrated by the enemy. It was a moral mandate, to soldier and civilian alike, to exert every effort to help these unfortunate people.

Almost two years have elapsed since that joint Congressional report. More than 3½ million of our soldiers have been returned from the European battleground. Seven million displaced persons have been assisted to return to their homes from areas under the control of the Western Allied Armies. Many of the German war criminals responsible for the suffering and dislocation of these people have been tried and punished. However, some of the victims of Nazi concentration camps are still in displaced persons centers in our Occupied Areas. We also have many others who, although not actually confined in concentration camps, had been uprooted from their homes by the Nazis and brought to Germany for forced labor. They are still there. Why? Because we will not force them back against their will to the countries from which they were uprooted; and because they have not yet been resettled elsewhere. We are now faced with this pressing question: What is to happen to these people?

My distinguished predecessor, Mr. Byrnes, established the policy that the future care and disposition of these displaced persons is a collective international responsibility just as was the military defeat of Germany and the punishment of

¹ Released to the press Mar. 1, 1947. Senator Vandenberg is Chairman of the Senate Committee on Foreign Relations.

Nazi war criminals. This policy was determined and supported without regard to differences of political affiliation. With your approval and assistance, I intend to continue that policy.

In furtherance of this policy the United States has actively supported in the United Nations the formation of an International Refugee Organization. As you know, Senator Austin, acting under authority of full powers issued by the President, has signed the constitution of the IRO, subject to final approval by Congress. The purpose of this Organization is to enable displaced persons to subsist while it actively effects their repatriation or resettlement. This will relieve the Army of its part of the present divided and difficult responsibility and should mean immediate economy of effort and funds and a speedier solution of the whole problem.

I have asked the Secretary of War, the Under Secretary of State and the Assistant Secretary of

State for Occupied Areas to describe in more detail the nature of the present problem and the projected scope of activities of the new International Refugee Organization. In advance of their testimony, I would earnestly stress that, with whatever minor imperfections there may be as the inevitable product of reconciling many conflicting viewpoints, I believe that the IRO will advance this problem to its permanent solution. I therefore urge as an important element of our foreign policy that the Congress support the efforts we have made thus far by authorizing the United States to participate in this Organization. I am confident that the Congress will approach this situation with the same deep sense of responsibility that it acted upon General Eisenhower's urgent message almost two years ago.

Faithfully yours,

GEORGE C. MARSHALL

Secretary of State

STATEMENT BY UNDER SECRETARY ACHESON¹

Mr. Chairman, I appreciate the opportunity which your Committee has given to the representatives of the Department of State to appear before you for the purpose of supporting Senate Joint Resolution 77, to provide for the United States membership in the International Refugee Organization.

The provisions of this bill can be simply stated. First, it authorizes the President to accept membership in the International Refugee Organization. Second, it provides that the President shall designate United States representatives and alternates to attend sessions of the International Refugee Organization. Third, it authorizes an appropriation of the sums necessary for the United States to participate in the organization. Essentially what this bill asks, therefore, is congressional authorization which will make definitive the action already taken by Senator Austin in signing provisionally the constitution of the International Refugee Organization.

What is it that this constitution provides? It establishes an organization to deal on an integrated basis with the whole problem of refugees and displaced persons. For the purposes of this organization, a displaced person is someone who had to leave his own country as a result of the actions of the Nazi or Fascist authorities. A refugee is,

generally speaking, anyone outside of his own country who was either a victim of Nazi persecution or who now is unwilling to return to his own country as a result of events which took place subsequent to the outbreak of the war. In general, the organization concerns itself with such people only when certain conditions are fulfilled, i. e., that such persons desire to be repatriated and need help in order to be repatriated or for good reasons refuse to return voluntarily to their own countries. These are primarily the people whom the occupying armies found on their hands when they entered Germany, Austria, and Italy. They were people who had been taken against their will to Germany during the war, largely for the purpose of slave labor, or were people who, through fear of persecution or through lack of sympathy with the regimes which have been established in their own countries, fled to Germany, Austria, or Italy for protection. The organization will also be concerned with similar problems in the Far East, particularly with overseas Chinese displaced by operations of the Japanese armies.

¹ Opening statement made before the Senate Committee on Foreign Relations at hearings of that committee on the IRO on Mar. 1, 1947, and released to the press on the same date.

March 9, 1947

Toward all these people the organization is intended to carry out certain functions. In the first place, obviously they must be cared for until some permanent disposition can be made of their case. In the second place, then, it is desirable that as many of these people as possible should be repatriated to their own countries since, always provided they are willing to go back, this solution represents the most economical and permanently satisfying way of handling the matter. Finally, those who have valid objections to returning to their own countries must be resettled in another place. Only to a limited extent could they be absorbed into the German economy. For example, in our zone in Germany, as a result of the expulsion of Germans from other countries and areas, there are three million more people than before the war while opportunities for work have been narrowed by the destruction of industrial plants. Nor should these victims of the Germans be forced against their will to become a part of them. It is of the highest importance that they should be brought as speedily as practical to useful living in a community where they are needed and wanted.

There are certain additional limitations upon the classes of people which this organization will serve. A person, for example, who has unreasonably refused to accept the proposals of the organization for resettlement will cease to be its concern. Also, the organization will not assist a person who is making no substantial effort toward earning his own living if it is possible for him to do so. Lastly, the organization will naturally not concern itself with war criminals, quislings, or traitors, or any other persons who can be shown to have assisted the enemy forces voluntarily in their operations against the United Nations.

Membership in the International Refugee Organization is open to any member of the United Nations and under certain restrictions to certain non-members. The General Council is the policy-making body of the organization, in which each member is represented and in which each member has one vote. The Executive Committee is elected by the General Council and is composed of nine countries elected for a two-year term. The chief administrative officer of the International Refugee Organization is the Director General, who will be appointed by the General Council upon the nomination of the Executive Committee and will himself appoint the administrative staff of the

organization. The personnel of the organization is calculated in the budget as running somewhere between 2,000 and 3,000 persons, which will represent the number of persons required to carry on the field work and camp administrative functions that are now being performed by UNRRA and the occupying armies.

The financing of the International Refugee Organization will be based upon article 10 of the constitution. In the first place, there will be an annual administrative budget which the General Assembly has set at a figure of \$4,800,000 for the first financial year of the organization. Second, the main work of the organization is derived from the funds expended under the operational budget. It was set by the General Assembly at about \$151,000,000 for the first financial year of the organization. The largest part of this is obviously that devoted to care and maintenance, which is approximately \$100,000,000, or two thirds of the budget. However, it is clear that the more quickly we can get the displaced persons repatriated or resettled in other countries, the more quickly we shall be able to reduce the care and maintenance items in the budget by removing these people from assembly centers and camps. It was therefore important to make adequate provision for the expenses of repatriation and resettlement.

The two parts of the budget just mentioned constitute the obligatory portion of the financing of the International Refugee Organization. In addition to these two parts, there is also set up a sum of \$5,000,000 for what is described as a fund for large-scale resettlement, to which contributions are not obligatory upon the members.

The apportionment of the budget among the members was naturally something to which a great deal of thought was given. It had been agreed from the start that the administrative budget should be apportioned on the same scale as the apportionment of the budget of the United Nations. According to this, therefore, the United States emerges with an obligation to pay 39.89 percent of the administrative budget of the International Refugee Organization. The operational budget, it was felt, should reflect a little more closely the interest of the different countries in the problem. Certain adjustments were also made in favor of countries which had suffered severe economic and financial damage as a result of the war. The United States share in the operational

budget on a full membership basis is 45.75 percent. The United States has substantially 60 percent of the displaced persons actually on its hands and has been actually making a higher percentage of external contributions to the cost of their care.

It has of course always been recognized that, so far as the United States is concerned, the Congress is the appropriating authority and that any obligation undertaken by the United States to contribute would have to be made annually subject to the appropriating authority of Congress. As to the large-scale resettlement expenditures for which no allocation of percentage is made by the constitution, the Department of State suggests that the share of the United States in this non-obligatory budget could equitably be fixed at the same percentage as the United States share of the regular operational budget, 45.75 percent.

The International Refugee Organization is to be a temporary organization. Its work should be brought to a close within a few years. There is a large job to be done but the very nature of the problem and the burden of delay both on the United States taxpayer and on the displaced persons themselves make it imperative that it be rapidly accomplished. Any member may at any time give written notice of its intention to withdraw. The withdrawal then becomes effective one year after the notice has been given.

The International Refugee Organization is a service organization. It is not an organization with governmental powers. Nothing in the constitution of this organization would enable it to alter the statutes of any of its members, whether in respect of immigration or any other matter. Furthermore, as I have stated above, the organization can obtain from the United States only such funds as the Congress may appropriate to the organization.

The constitution which has been described is the result of many months of earnest deliberation in the United Nations. Within a few months after the termination of hostilities in August 1945 it became evident that the task to be faced was one which required the unification of functions with regard to the care, repatriation, and resettlement of displaced persons that were being carried on at that time by the American, British, and French military governments as well as by UNRRA and the Intergovernmental Committee on Refugees. The question of refugees and displaced persons

was accordingly placed on the agenda of the General Assembly which met in London in January 1946. The question was recognized by the delegates gathered at London as one of the substantive problems of great urgency which the United Nations had to face.

The Assembly itself, faced with the immediate pressure of organizing the United Nations, could not make any systematic examination of the matter. It therefore referred the matter to the Economic and Social Council, which, after a long series of deliberations and sub-referrals to committees, reported back to the Assembly in October a proposal for an International Refugee Organization. After a considerable debate, the Assembly, on December 15, 1946, adopted the constitution of the proposed organization, approved a budget for the first financial year, and approved also an agreement for a Preparatory Commission to undertake necessary planning functions during the interim period before the coming into force of the constitution. At every point throughout the debate, the urgency and importance of the question was evident. And to this question, I may add, more hours have been devoted in the United Nations than to any other single question exclusive of those concerning security.

The constitution was opened for signature on December 15, 1946. The constitution requires two conditions to bring it into force: (1) at least 15 states must become parties to it; (2) the allocated contributions of the participating states must constitute 75 percent of the total operational budget.

At the present time, 11 states are already signatories to the constitution. They are: Canada, the United States, France, the Dominican Republic, Honduras, Guatemala, the Philippines, Liberia, the Netherlands, Norway, and the United Kingdom. The allocated contributions of these states amount to 69.80 percent of the budget. Of these states, only the United Kingdom has as yet signed definitively without reservations similar to that of the United States.

Signature was made on behalf of the United States by Senator Austin "subject to approval". In this context, "approval" is understood to mean approval by the Congress. The joint resolution now before you will, if enacted, authorize the President to accept definitively for the United States membership in the organization. Favorable action by the United States will of course

affect governments which are now looking to us to take the lead.

Since the action by the General Assembly, the Preparatory Commission of the IRO has met in Geneva, Switzerland, where preliminary plans have been made for the program of the IRO as and when it is legally established. The Commission elected as its Executive Secretary Mr. Arthur J. Altmeyer, who is the Commissioner of the United States Social Security Administration. Mr. Altmeyer will thus have the administrative responsibility, as an international civil servant, for the next several months, of initiating the plans for the effectuation of the IRO.

The origin of the problem of the displaced persons is, I am sure, familiar to most of you. The great majority of these people were driven from their homes by the circumstances of the war. These were nationals of one or another of the United Nations or were persons who had been persecuted by the enemy. In very large part, they were people who had been carried into Germany as slave labor. When the war ended, they were without the means of repatriating themselves or of providing adequately for their own maintenance. In Germany, Austria, and Italy, the occupying western armies found some eight millions of homeless people sturdy enough to have survived, who became the joint concern of the occupying armies and of UNRRA.

There was then undertaken by the armies and UNRRA an extraordinarily effective job of identification, care and repatriation. Seven million people were returned to their homes within a year. This was a rapid job planned and instituted as a joint activity by SHAEF. It was also humanely accomplished. It was from all points of view the most satisfactory method of dealing with the problem. But it fell short of becoming a complete solution. There remained more than a million displaced persons on the hands of the United States, Great Britain, and France in Germany, Austria, and Italy. The process of repatriation, though still continuing, has slowed up.

It is evident that there are, among the displaced persons, hundreds of thousands who will not voluntarily return to their places of origin. This is due to the changes wrought by the war in pre-war governmental boundaries and governmental systems within the areas from which they have come; to the aftermath of the memories of Nazi perse-

cution in those areas during the war, the destruction of their kindred and their former homes and former opportunities for livelihood; to differences in political views and fears of persecution or reprisal because of those differences. We are unwilling, if we were able, forcibly to send these uprooted people back to countries with new borders and new political systems. That has been the cardinal principle in handling these displaced persons in the past. It was approved by the General Assembly of the United Nations. It is firmly embodied in the constitution of the International Refugee Organization.

It has also been a firm principle in the administration of the displaced persons program, and it will continue to be under the International Refugee Organization, that these victims of German aggression will not against their will be forced to stay in Germany and become Germans. As a matter of fact, there is no place for them in the contracted German economy and in our already overcrowded zone.

It has always been the view of the military authorities that the problem of displaced persons was from its very nature one not for troops but for international civilian agencies. They have increasingly used such agencies. Our Army is not now staffed to carry on the task of administration of these hundreds of communities and the negotiation and execution of international arrangements for repatriation and resettlement. The International Refugee Organization provides a unified service for all the present varied services with the present diffused overheads and responsibilities.

The problem, then, is that of the remaining displaced persons, about one million people, of whom some 600,000 are in the United States zone.

Of these people, almost all come from the countries of eastern Europe. Perhaps a third are registered as Poles, a fifth as Balts, a fourth as Jews, and smaller fractions as Yugoslavs and citizens of the Soviet Union, stateless, and of miscellaneous origin. We are thus dealing with a group of people originating in an area of Europe where political change has been great and where political tension is high. As an occupying power, we have these people on our hands; we are compelled to do something about them in a constructive and statesmanlike manner.

The program which is envisaged for these people is in summary as follows: First, the persons

who can be repatriated must be temporarily cared for until their return home can be accomplished. They must receive initial supplies of food to start them on their way. Second, those who are unwilling to return need temporary care until they can be resettled. Third, the task of resettlement requires protracted negotiation with the potential countries of reception and then the making of arrangements for sorting out, training, medical examination, and transportation. Finally, such displaced persons as are unwilling to work to contribute to their own support or who are otherwise exploiting the assistance they are receiving, or have been collaborators with our enemies, or are unwilling to accept opportunities for resettlement, will no longer receive support. This recital of the tasks before the IRO will indicate, I think, the difficult program facing the organization. This Government has never believed that the job would be easy; but it has always been determined to see it through.

The International Refugee Organization has a substantial contribution to make to the cause of post-war reconstruction and international cooperation. Our participation in it would be a further earnest of our determined effort to make the United Nations work.

National Conference on UNESCO

[Released to the press February 26]

A national conference on UNESCO will be held at Philadelphia, March 24-26, and will be attended by representatives of approximately a thousand organizations. The purpose of the conference, which is being arranged by the United States National Commission for UNESCO, is to work out plans by which the American people can take part in UNESCO's program for promoting peace through educational, scientific, and cultural cooperation.

The program of the conference will include reports by members of the American Delegation who attended the first meeting of the international organization held in Paris last December. Delegates expected to be present at the meeting include: William Benton, Assistant Secretary of State for public affairs; Arthur H. Compton, chancellor, Washington University; Anne O'Hare McCormick, member, editorial board, *New York Times*; George D. Stoddard, president, Univer-

sity of Illinois; Chester Bowles, former Administrator, Office of Price Administration; Milton S. Eisenhower, president, Kansas State College; Charles S. Johnson, president, Fisk University; and George N. Shuster, president, Hunter College. UNESCO's plans for helping war-devastated countries rebuild their devastated educational systems will be discussed by Bernard Drzewieski, director of the reconstruction and rehabilitation section of the organization.

Section meetings will study UNESCO's program for promoting international understanding through schools, radio, press, films, and international cooperation by scholars and scientists. Attention will also be centered on ways in which local communities can take part in furthering the aims of the organization.

This meeting will be the first national conference called in accordance with instructions given by Congress when it approved the formation of the National Commission to advise on UNESCO matters and to serve as a liaison body with national organizations. The National Commission is limited to 100 persons, 60 of whom are nominated by national organizations. In order that the National Commission might consult and keep in close touch with the numerous organizations which are concerned with UNESCO, Congress authorized the Commission to convene periodically a large national conference to which interested organizations should be invited to send representatives.

Arrangements for the conference are under the direction of Milton S. Eisenhower, chairman of the United States National Commission for UNESCO.

U.S. Completes Payment to International Monetary Fund

[Released to the press by the Treasury Department February 26]

Secretary of the Treasury Snyder announced on February 26 that the United States has completed payment of its subscription to the International Monetary Fund. Under the Bretton Woods agreements the quota of the United States in the International Monetary Fund is \$2,750,000,000, and payment of this amount to the Fund was authorized in the Bretton Woods Agreements Act approved July 31, 1945. That act amended the Gold Reserve Act of 1934, approved January 30, 1934,

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so as to provide that \$1,800,000,000 of the Exchange Stabilization Fund originally established under the Gold Reserve Act of 1934 should be used to pay part of the quota of the United States in the International Monetary Fund, and that the balance of the quota of \$950,000,000 should be paid from the general funds of the Treasury.

The payment made today amounted to \$2,744,725,000, representing the balance of the United States quota. The payment was comprised of \$687,500,000.11 in gold, equal to 25 percent of the quota of the United States as required by article III, section 3 (b) (i), of the articles of agreement;

\$275,224,999.89 in currency credited to the Fund's depositary account with the Federal Reserve Bank of New York and \$1,782,000,000 aggregate face amount of non-negotiable, non-interest-bearing demand notes of the United States.

An initial payment of \$275,000, representing one one-hundredth of one percent of the United States quota, was paid for credit of the International Monetary Fund on December 27, 1945, at the time the articles of agreement of the Fund were signed on behalf of the United States. A further partial payment in the amount of \$5,000,000 was made on November 21, 1946.

Francis Sayre Appointed U.S. Representative on Trusteeship Council

[Released to the press February 28]

Francis B. Sayre was sworn in on February 28 as United States Representative on the Trusteeship Council of the United Nations. Associate Justice Harold Burton administered the oath in the presence of Secretary of State Marshall and a number of other distinguished guests.

Mr. Sayre, formerly Assistant Secretary of State, was more recently United States High Commissioner to the Philippine Islands. Since 1944 he served as Diplomatic Adviser to the United Nations Relief and Rehabilitation Administration. He thus brings to his new assignment a wide background of experience to qualify him for this responsible post.

The Trusteeship Council, which is one of the principal organs of the United Nations, will hold its first session at the headquarters of the United Nations beginning March 26, 1947. In addition to the United States, the Council consists of the United Kingdom, the Soviet Union, France, China, Australia, Belgium, New Zealand, Iraq, and Mexico. Each of the ten members of the Trusteeship Council designates one specially qualified person to represent it thereon.

The Council will supervise the manner in which the various trust powers carry out their obligations under the Charter to promote the political, economic, social, and educational advancement of the inhabitants of the territories. At its first meeting

it will formulate a plan whereby the trust powers for each of the eight territories now placed under trusteeship will supply the necessary information on these questions through an annual report to be submitted to the Council. It will also examine a number of petitions which have been received, and will provide for periodic visits which are to be made to the respective trust territories in order to observe how the terms of the Charter and of the trust agreements are being carried out.

The main purpose of the Trusteeship Council is to see that the highest and most progressive standards of administration are carried out in the various territories coming under its supervision. It is believed and hoped that by this means the standards of colonial administration throughout the world will be improved and that the inhabitants of the territories which are not yet self-governing will everywhere benefit from the influence which the Trusteeship Council will exert on the colonial problem as a whole.

Confirmation of U.S. Representative to Trusteeship Council

On February 21, 1947 the Senate confirmed the nomination of Francis Bowes Sayre to be the representative of the United States of America on the Trusteeship Council of the United Nations.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Calendar of Meetings¹

In Session as of March 2, 1947		1946
Far Eastern Commission	Washington	Feb. 26
United Nations:		
Security Council	Lake Success	Mar. 25
Military Staff Committee	Lake Success	Mar. 25
Commission on Atomic Energy	Lake Success	June 14
Telecommunications Advisory Committee	Lake Success	Nov. 10
Economic and Social Council (ECOSOC):		1947
Drafting Committee of International Trade Organization, Preparatory Committee.	Lake Success	Jan. 20- Feb. 25
Subcommission on Economic Reconstruction of Devastated Areas: Working Group for Asia and the Far East.	Lake Success	Feb. 14
Standing Committee on Negotiations With Specialized Agencies.	Lake Success	Feb. 25
Fourth Session	Lake Success	Feb. 28
German External Property Negotiations (Safehaven):		1946
With Portugal	Lisbon	Sept. 3
With Spain	Madrid	Nov. 12
Inter-Allied Trade Board for Japan	Washington	Oct. 24
PICAO:		1947
Interim Council	Montreal	Jan. 7
Air Transport Committee: Sixth Session	Montreal	Jan. 13
Airworthiness Division	Montreal	Feb. 20
Airline Operating Practices Division	Montreal	Feb. 25
Inter-Allied Reparation Agency (IARA): Meetings on Conflicting Custodial Claims.	Brussels	Jan. 29
International Court of Justice	The Hague	Feb. 10
Scheduled for March - May 1947		
FAO:		
Executive Committee	Rome	Mar. 3
International Timber Conference	Marianske-Lazne, Czechoslovakia.	Apr. 28
ILO:		
Preparatory Meeting of Statistical Experts	Montreal	Mar. 4
101st Session of the Governing Body	Geneva	Mar. 5-8
Committee on Social Policy in Dependent Territories	London	Mar. 17-22
Committee of Experts on the Application of Conventions	Geneva	Mar. 24-29
Industrial Committee on Coal Mining	Geneva	Apr. 23
Industrial Committee on Inland Transport	Geneva	May 6
Emergency Economic Committee for Europe (EECE): Timber Subcommittee.	Copenhagen	Mar. 6-8
Council of Foreign Ministers	Moscow	Mar. 10
International Wheat Conference	London	Mar. 18

¹ Prepared in the Division of International Conferences, Department of State.

Calendar of Meetings—Continued

United Nations:		
Trusteeship Council	Lake Success	Mar. 26
Meeting of Experts on Passport and Frontier Formalities	Geneva	Apr. 14
Committee on Progressive Development and Codification of International Law.	Lake Success	May 1-28 (tentative)
World Health Organization (WHO): Third Session of Interim Commission.	Geneva	Mar. 31
Interparliamentary Union: 36th Plenary Session	Cairo	Apr. 7
International Conference on Trade and Employment: Second Meeting of Preparatory Committee.	Geneva	Apr. 8
UNESCO Executive Board	Paris	Apr. 10-12
International Red Cross Committee	Geneva	Apr. 14-26
PICAO European - Mediterranean Special Air Traffic Control Conference.	Paris	Apr. 15
Fifth International Hydrographic Conference	Monaco	Apr. 22
International Meeting of Marine Radio Aids to Navigation	New York and New London	Apr. 28
European Central Inland Transport Organization (ECITO): Seventh Session of the Council.	Paris	April (tentative)
International Civil Aviation Organization (ICAO): First Meeting of General Assembly.	Montreal	May 6
Congress of the Universal Postal Union	Paris	May 6
International Radio Conference	Atlantic City	May 15
International Technical Committee of Aerial Legal Experts (CITEJA).	Montreal	May
International Emergency Food Council (IEFC): Fourth Meeting .	Washington	May (tentative)

Activities and Developments »

U. S. DELEGATION TO COUNCIL OF FOREIGN MINISTERS

[Released to the press February 25]

List of the United States Delegation to the Fourth Session of the Council of Foreign Ministers, Moscow, March 10, 1947

United States Member

George C. Marshall, Secretary of State

Deputy United States Members

For Germany

Robert D. Murphy, U.S. Political Adviser, Berlin

For Austria

Gen. Mark W. Clark, U.S. High Commissioner to Austria, Vienna

ACTIVITIES AND DEVELOPMENTS

Special Adviser

John Foster Dulles

Counselor

Benjamin V. Cohen, Counselor, Department of State

Political Advisers

H. Freeman Matthews, Director, Office of European Affairs, Department of State

John G. Erhardt, U. S. Minister to Austria, Vienna

James Riddleberger, Chief, Division of Central European Affairs, Department of State

Charles E. Bohlen, Assistant to the Secretary of State, Department of State

Harold C. Vedeler, Division of Central European Affairs, Department of State

Economic Advisers

Edward Mason, Consultant, Office of the Under Secretary for Economic Affairs, Department of State

Jacques J. Reinstein, Special Assistant to the Assistant Secretary for Economic Affairs, Department of State

Charles Kindleberger, Chief, Division of German-Austrian Economic Affairs, Department of State

Arthur W. Marget, Chief of Finance Division, United States Element, Allied Council, Austria

Charles Rogers, Division of German-Austrian Economic Affairs, Department of State

George Jacobs, Division of German-Austrian Economic Affairs, Department of State

John Tuthill, Secretary, United States Embassy, Berlin

Advisers on Military Government

William H. Draper, Maj. Gen., U.S.A., Office of Military Government (U.S.) for Germany, Berlin

Donald D. Humphrey, Office of Military Government (U.S.) for Germany, Berlin

Dr. Edward H. Litchfield, Office of Military Government (U.S.) for Germany, Berlin

Henry Parkman, Office of Military Government (U.S.) for Germany, Berlin

Military Advisers

Charles H. Bonesteel, Col., A.U.S., Politico-Military Survey Section, Plans and Operations Division, War Department General Staff

Philip H. Greasley, Col., A.U.S., Plans and Policy Group, Plans and Operations Division, War Department General Staff

Francis H. Oxx, Col., U.S.A., Office of U.S. High Commissioner for Austria, Vienna

Naval Advisers

Roscoe E. Schuirmann, Rear Adm., U.S.N., Commander of Naval Forces, Germany

S. B. Frankel, Capt., U.S.N., assigned for duty with Commander of Naval Forces, Europe

Adviser on Press Relations

Michael J. McDermott, Special Assistant to Secretary of State, Department of State

Assistant Adviser on Press Relations

David Penn, Office of International Information and Cultural Affairs, Department of State

Legal Adviser

Fritz Oppenheimer, Assistant Legal Adviser, Department of State

Leonard Meeker, Assistant Legal Adviser, Department of State

Assistant to Secretary

Marshall S. Carter

Assistants and Aides

Assistants to the Deputy Member for Austria

Bernard Rogers, Captain., A. U. S., Aide to U. S. High Commissioner for Austria

M. G. Natirbov, Interpreter to U.S. High Commissioner for Austria

Aide to Naval Adviser

Leslie L. Youngblood, Lt., U.S.N., Aide to Commander of Naval Forces, Germany

Assistant to Adviser on Press Relations

Margaret Halden, Office of Special Assistant to Secretary of State, Department of State

Secretary General

Hugh D. Farley, Assistant Chief, Division of International Conferences, Department of State

JAPANESE REPARATIONS GOODS¹

1. In delivering reparations goods in Japan to claimant countries, the Japanese Government should bear all costs connected with dismantling, packing, transporting to a port in Japan for waterborne craft or for airborne craft, handling, and loading on board the craft at that port. The port should be designated by the Supreme Commander for the Allied Powers after consultation with the claimant country. None of the above-mentioned costs should be paid by the recipient country; however, all those costs involved in the delivery of reparations goods should in the future be appropriately charged toward the reparations accounts of the recipient countries in the same proportions as their respective national shares of reparations from Japan. The charging of these costs to the reparations accounts of recipient countries should

¹ Policy decision approved by the Far Eastern Commission on Feb. 13, 1947 and released to the press Feb. 24. A directive based upon this decision has been forwarded to the Supreme Commander for the Allied Powers for implementation.

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ACTIVITIES AND DEVELOPMENTS

not affect the distribution of reparations received by claimant countries.

2. When particular reparations goods have been designated for delivery to a particular country, the Supreme Commander for the Allied Powers will afford claimant countries the opportunity to be consulted prior to and represented at the dismantling and packing of such goods and to make such constructional plans and drawings as may be necessary for the purpose of re-erection, provided the making of such plans and drawings shall not be permitted to delay unduly the process of dismantling and removal. Before proceeding with the removal of designated goods from their location, the Supreme Commander will require the recipient country to provide him with a written undertaking to accept such goods, provided they are delivered on board at the designated port free from any major damage sustained in the processes of dismantling, packing, transporting, handling, and loading. The Japanese Government will be required to make good any damage or shortage resulting from the processes of dismantling, packing, transporting, handling, and loading if such damage or shortage occurred prior to delivery on board the carrying craft.

3. The goods in question should become the property of the recipient country when they have been delivered on board at the designated port, and thereafter they become the entire responsibility of such recipient country. Receipt for the goods shall be given by the recipient country when they have been delivered on board the carrying craft at the designated port.

4. Each recipient country will be responsible for arranging for the waterborne or airborne craft necessary to transport its reparations goods from the designated port in Japan.

JAPANESE RESEARCH AND ACTIVITY IN THE FIELD OF ATOMIC ENERGY¹

1. Japanese research or other activity in the field of atomic energy should be governed by the following:

- (a) Such decisions by the United Nations on international control of atomic energy as are applicable;
- (b) Additional restrictive policies established for the disarmament and control of Japan.

2. In view of continuing discussion of the foregoing, the Far Eastern Commission considers that the Japanese should not be permitted at present to conduct research in the field of atomic energy, or to develop or use atomic energy. The Commission accordingly establishes the following policy:

(a) All research in Japan, of either a fundamental or an applied nature, in the field of atomic energy should be prohibited, including:

- (1) All research or development which has for its purpose the production of fissionable atomic species;
- (2) All research or development which has for its purpose the separation or concentration of fissionable species of atomic isotopes from the naturally occurring isotope mixture of a chemical element.

(b) All development or construction in Japan which has for its purpose the utilization of atomic nuclear energy should be prohibited.

(c) The mining, processing, and refining of radioactive materials in Japan for authorized purposes, such as radium for medical uses, should be permitted only in those instances specifically approved by the Supreme Commander for the Allied Powers and under his surveillance.

ACCORD ON TREATMENT OF GERMAN-OWNED PATENTS

[Released to the press February 27]

The Department of State announced on February 27 that the accord on the treatment of German-owned patents which was reached at a 12-nation conference at London in July 1946 has come into force.² A total of 28 governments signed or accepted the accord before January 1, 1947.

Under the terms of the accord, it was to come into force upon signature or acceptance by January 1, 1947 of France, the United Kingdom, the United States, and four other countries. In addition to France, the United Kingdom, and the United States, the other countries which signed or

¹ Policy decision approved by the Far Eastern Commission on Jan. 30, 1947 and released to the press Feb. 10. The text has been forwarded to the Supreme Commander for the Allied Powers for implementation.

² For text and a brief description of the accord, see BULLETIN of Aug. 18, 1946, p. 300.

accepted were: Belgium, Canada, Czechoslovakia, Denmark, Luxembourg, Netherlands, Norway, the Union of South Africa, New Zealand (including Western Samoa), India, Bolivia, Chile, Dominican Republic, Ecuador (*ad referendum*), Guatemala (*ad referendum*), Iran, Iraq, Lebanon, Nicaragua (*ad referendum*), Paraguay (*ad referendum*), Poland, Syria (*ad referendum*), Turkey, Venezuela (*ad referendum*), and Yugoslavia. The accord also applies to Newfoundland and Southern Rhodesia and to the following territories: British Guiana, British Honduras, Gold Coast, Kenya, Nyasaland, Sarawak, Singapore, Trinidad and Tobago, Uganda, and the Windward Islands.

The general effect of the accord will be to make available to the nationals of all participating governments full rights to use, without the payment of any royalties, all former wholly German-owned patents issued by those governments, subject to the protection of existing rights lawfully acquired

by non-Germans. The number of patents which will be affected by the accord is known to be well above 100,000. Licensing of these patents under the provisions of the accord will remove a possible impediment to international trade which would have arisen had the interested governments licensed these patents on an exclusive basis. The accord is also consistent with policies already put into effect by the Office of Alien Property Custodian.

The accord also provides for the interchange of such information acquired in the enemy territories as is required effectively to work the patents through a central office which France will establish, to provide facilities for receiving and disseminating reports and information pertaining to the German technological situation from governments which are participants to the accord, and for notifying those governments of matters of common interest under the accord.

U. S. in Allied Administration of Austria—Continued from page 415

High Commissioners and the location of occupation troops.

With regard to Vienna, article 13 of the agreement provides that the Municipal Administration shall progressively assume the functions of the Inter-Allied Command, which has acted as the instrument of the Allied Commission for affairs concerning Vienna as a whole. In the meantime, the Vienna Inter-Allied Command is to have the same relation to the Municipal Administration of Vienna as the Allied Commission has to the Austrian Government.

Austrian Hopes for the Future

Austrian hopes for a peaceful existence within the framework of the community of nations were expressed by Dr. Karl Gruber, Foreign Minister of the Austrian Federal Republic, in an address on August 21, 1946 at the Paris Peace Conference, as follows (translation):

"Since the establishment of Austria in 1918, there has never been a time when collaboration between the big political parties has been as close as it is now, and in which democracy in Austria has rested upon a surer foundation. Errors and mistakes have been committed, and we are aware of this fact. Our Government is determined to prevent them in the future.

"This small country wishes no more than to continue its peaceful and modest life, and to furnish proof to the world that the cultural traditions of a people, coupled with good will and a conciliatory spirit, might gain the esteem of the world just as much as military power and outward strength.

"Austria never intended to resort to force to settle her difficulties and will always remain true to her peaceful tradition. She is therefore fully convinced that a just cause may achieve its object by an appeal to the world conscience."

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Administration of the Reciprocal Trade-Agreements Program

EXECUTIVE ORDER 9832¹

By virtue of the authority vested in me by the Constitution and statutes, including section 332 of the Tariff Act of 1930 (46 Stat. 698) and the Trade Agreements Act approved June 12, 1934, as amended (48 Stat. 943; 59 Stat. 410); in the interest of the foreign affairs functions of the United States and in order that the interests of the various branches of American production shall be effectively safeguarded in the administration of the trade-agreements program, it is hereby ordered as follows:

Part I

1. There shall be included in every trade agreement hereafter entered into under the authority of said act of June 12, 1934, as amended, a clause providing in effect that if, as a result of unforeseen developments and of the concession granted by the United States on any article in the trade agreement, such article is being imported in such increased quantities and under such conditions as to cause, or threaten, serious injury to domestic producers of like or similar articles, the United States shall be free to withdraw the concession, in whole or in part, or to modify it, to the extent and for such time as may be necessary to prevent such injury.

2. The United States Tariff Commission, upon the request of the President, upon its own motion, or upon application of any interested party when

in the judgment of the Tariff Commission there is good and sufficient reason therefor, shall make an investigation to determine whether, as a result of unforeseen developments and of the concession granted on any article by the United States in a trade agreement containing such a clause, such article is being imported in such increased quantities and under such conditions as to cause or threaten serious injury to domestic producers of like or similar articles. Should the Tariff Commission find, as a result of its investigation, that such injury is being caused or threatened, the Tariff Commission shall recommend to the President, for his consideration in the light of the public interest, the withdrawal of the concession, in whole or in part, or the modification of the concession, to the extent and for such time as the Tariff Commission finds would be necessary to prevent such injury.

3. In the course of any investigation under the preceding paragraph, the Tariff Commission shall hold public hearings, giving reasonable public notice thereof, and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at such hearings. The procedure and rules and regulations for such investigations and hearings shall from time to time be prescribed by the Tariff Commission.

4. The Tariff Commission shall at all times keep informed concerning the operation and effect of provisions relating to duties or other import re-

¹ 12 Federal Register 1363.

restrictions of the United States contained in trade agreements heretofore or hereafter entered into by the President under the authority of said act of June 12, 1934, as amended. The Tariff Commission, at least once a year, shall submit to the President and to the Congress a factual report on the operation of the trade-agreements program.

Part II

5. An Interdepartmental Committee on Trade Agreements (hereinafter referred to as the Interdepartmental Committee) shall act as the agency through which the President shall, in accordance with section 4 of said act of June 12, 1934, as amended, seek information and advice before concluding a trade agreement. In order that the interests of American industry, labor, and farmers, and American military, financial, and foreign policy, shall be appropriately represented, the Interdepartmental Committee shall consist of a Commissioner of the Tariff Commission and of persons designated from their respective agencies by the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor. The chairman of the Interdepartmental Committee shall be the representative from the Department of State. The Interdepartmental Committee may designate such subcommittees as it may deem necessary.

6. With respect to each dutiable import item which is considered by the Interdepartmental Committee for inclusion in a trade agreement, the Tariff Commission shall make an analysis of the facts relative to the production, trade, and consumption of the article involved, to the probable effect of granting a concession thereon, and to the competitive factors involved. Such analysis shall be submitted in digest form to the Interdepartmental Committee. The digests, excepting confidential material, shall be published by the Tariff Commission.

7. With respect to each export item which is considered by the Interdepartmental Committee for inclusion in a trade agreement, the Department of Commerce shall make an analysis of the facts relative to the production, trade, and consumption of the article involved, to the probable effect of obtaining a concession thereon, and to the competitive factors involved. Such analysis shall be

submitted in digest form to the Interdepartmental Committee.

8. After analysis and consideration of the studies of the Tariff Commission and the Department of Commerce provided for in paragraphs 6 and 7 hereof, of the views of interested persons presented to the Committee for Reciprocity Information (established by Executive Order 6750, dated June 27, 1934, as amended by Executive Order 9647, dated October 25, 1945), and of any other information available to the Interdepartmental Committee, the Interdepartmental Committee shall make such recommendations to the President relative to the conclusion of trade agreements, and to the provisions to be included therein, as are considered appropriate to carry out the purposes set forth in said act of June 12, 1934, as amended. If any such recommendation to the President with respect to the inclusion of a concession in any trade agreement is not unanimous, the President shall be provided with a full report by the dissenting member or members of the Interdepartmental Committee giving the reasons for their dissent and specifying the point beyond which they consider any reduction or concession involved cannot be made without injury to the domestic economy.

Part III

9. There shall also be included in every trade agreement hereafter entered into under the authority of said act of June 12, 1934, as amended, a most-favored-nation provision securing for the exports of the United States the benefits of all tariff concessions and other tariff advantages hereafter accorded by the other party or parties to the agreement to any third country. This provision shall be subject to the minimum of necessary exceptions and shall be designed to obtain the greatest possible benefits for exports from the United States. The Interdepartmental Committee shall keep informed of discriminations by any country against the trade of the United States which cannot be removed by normal diplomatic representations and, if the public interest will be served thereby, shall recommend to the President the withholding from such country of the benefit of concessions granted under said act.

HARRY S. TRUMAN

THE WHITE HOUSE
February 25, 1947

March 9, 1947

STATEMENT BY THE PRESIDENT

[Released to the press by the White House February 25]

I wish to reaffirm the faith of this Administration in the Cordell Hull reciprocal trade-agreements program, which became effective in 1934 and which has been extended by Congress all these years. This program is based on the principle of negotiation between this and other countries for the reduction of trade restrictions and elimination of discriminations on a mutually advantageous basis; for each concession granted by the United States, a corresponding concession is received. This program has become an integral part of our foreign policy, and has widespread support from industry, labor, and farmers.

I am today issuing an Executive order which formalizes and makes mandatory certain existing trade-agreements procedures and which, in addition, makes some procedural changes. I wish to make clear that the provisions of the order do not deviate from the traditional Cordell Hull principles. They simply make assurance doubly sure that American interests will be properly safeguarded.

This order is the result of conversations between Under Secretaries of State Acheson and Clayton and Senators Vandenberg and Millikin, and has

been carefully considered by the interdepartmental trade-agreements organization. This organization is composed of representatives of the Departments of State, War, Navy, Treasury, Agriculture and Commerce, and the Tariff Commission.

The United States is preparing to meet with 18 other nations in Geneva on the tenth of April to negotiate on policies affecting world trade. We plan to complete the draft of a charter establishing common principles of world-trade policy and setting up an international trade organization. We also shall negotiate the reduction of tariffs, the removal of other barriers to trade, and the elimination of discriminatory practices. I am very happy that Senators Vandenberg and Millikin agree that we should go forward with the Geneva negotiations.

All of us must now recognize that bipartisan support of our foreign economic policy, as well as our foreign policy in general, is essential. If we are to succeed in our efforts, through the United Nations, to organize the world for peace, we cannot refuse our cooperation where economic questions are involved. Here, as elsewhere in our foreign relations, we must abandon partisanship and unite in our support of a foreign policy that serves the interests of the nation as a whole.

STATEMENT BY UNDER SECRETARY CLAYTON

The Executive order issued on February 25 by the President with regard to the reciprocal trade-agreements program formally establishes the interdepartmental organization which has been set up to administer the Trade Agreements Act, and specifically outlines the procedure which this organization is to follow.

The order was prepared after the most careful consideration in this Department and in other agencies concerned with administration of the trade-agreements program, and after extensive conferences with leaders of both parties in Congress. It substantially meets the proposals on this

subject which were made on February 7 by Senator Vandenberg and Senator Millikin. Those proposals symbolized their desire for agreement on non-partisan support for the foreign economic policy of the United States, and should provide reassurance of whole-hearted participation of this country in the forthcoming negotiations at Geneva next spring for a trade agreement with 18 foreign countries which will carry forward the principles of reciprocity as developed under James G. Blaine and Cordell Hull.

[At this point the contents of the Executive order was summarized. See Department of State press release 146 of Feb. 25, 1947.]

Since the Hull trade-agreements program was inaugurated in 1934 changes and improvements have been made in the procedure and machinery for administering the Trade Agreements Act when it was found practical to do so. These changes demonstrate that the trade-agreements machinery is adaptable to the needs of the country. The businessmen and other interested persons who appeared at the recent hearings before the Committee for Reciprocity Information appeared to be convinced that they had been given full and fair opportunity to present their views and the reasons for those views in the hearings. The information presented at the hearings is now receiving the most careful analysis and consideration by the trade-agreements organization which is preparing the recommendations for the forthcoming negotiations at Geneva.

The agreement which it is proposed to negotiate at Geneva will be an essential step in the establishment of an International Trade Organization and the formulation of a code of fair principles for international commerce, under which nations can cooperate in expanding their trade multilaterally and on a non-discriminatory basis, thereby increasing employment, production and exchange of goods, and raising standards of living in all countries.

International accord with respect to trade policy is essential to the successful operation of the other international agencies which have already been established in the field of economic affairs. Cooperation among nations in economic affairs is, in turn, a prerequisite of international cooperation in political and security affairs.

Government and Business Groups Discuss U.S. Foreign Trade

[Released to the press February 26]

A group of leading businessmen, who are well known in the American foreign-trade community, met on February 26 in the Department of State with the Board of Foreign Service to exchange views on the activities of governmental officials in promoting and protecting the commercial interests of the United States abroad.

The joint meeting of the Board of Foreign Service and the Advisory Committee on Commercial Activities in the Foreign Service was under the chairmanship of John E. Peurifoy, recently appointed Deputy Assistant Secretary of State for administration. Norman P. Ness, Director of the Office of Financial and Development Policy, Department of State, discussed current developments in international economic affairs.

Selden Chapin, Director General of the Foreign Service, presented a summary of the problems now facing the Service and invited comments from the business group. George Bell, Associate Director of the Office of International Trade, Department of Commerce, called for suggestions as to how Government agencies could best meet the demands placed upon them by business and industry in the field of world trade, and how they can be correlated with the existing and planned facilities of the Foreign Service.

The members of the Advisory Committee, which is jointly sponsored by the Secretaries of State and Commerce, participated in their individual capacities, but are affiliated with the following organizations: the Chamber of Commerce of the United States, Committee for Economic Development, National Association of Manufacturers, United States Associates of the International Chamber of Commerce, National Council of American Importers, National Foreign Trade Council, and Bankers Association for Foreign Trade. The following are members of the Advisory Committee:

Wilbert Ward, Vice President, National City Bank of New York
 Francis L. Hopkinson, Vice President, Willys-Overland Motors, Inc.
 Morris S. Rosenthal, Executive Vice President, Stein, Hall & Company, Inc.
 J. D. Fletcher, Vice President, Caterpillar Tractor Co.
 Arvid L. Frank, Executive Director, United States Associates, International Chamber of Commerce
 Clarence E. Hunter, Vice President, New York Trust Co.
 Kenneth H. Campbell, Manager, Foreign Commerce Department, Chamber of Commerce of the United States of America
 A. M. Lederer, Morris & Van Wormer, New York
 Noel Sargent, Secretary, National Association of Manufacturers
 Harry S. Radcliffe, Executive Secretary, National Council of American Importers

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William S. Swingle, Vice President, National Foreign Trade Council

Patrick McMahon, Special Executive Assistant, National Association of Manufacturers

H. F. Sheets, Chairman of the Board of Directors, Socony-Vacuum Oil Co., Inc.

C. B. Thomas, President, Export Division, Chrysler Corporation

Gerald Le Vino, Vice President, Guiterman Company, New York

W. S. Morrison, Vice President in Charge of Sales, United States Steel Export Company

D. A. Paterson, H. A. Astlett Company, New York

Curt G. Pfeiffer, New York

The Board of the Foreign Service, which advises the Secretary of State in the administration of the Foreign Service, is composed of:

John E. Peurifoy, Deputy Assistant Secretary of State
Spruille Braden, Assistant Secretary of State
William Benton, Assistant Secretary of State
Selden Chapin, Director General of the Foreign Service
David Morse, Assistant Secretary of Labor
Leslie A. Wheeler, Director, Office of Foreign Agricultural Relations, Department of Agriculture
George L. Bell, Associate Director, Office of International Trade, Department of Commerce

Post-UNRRA Relief: Purpose and Method

BY UNDER SECRETARY CLAYTON¹

1. General Purpose and Objective

The purpose of the resolution now under consideration by this committee is to provide relief to millions of persons in war-devastated countries who are still dependent upon outside assistance for food and other essentials of life.

Through UNRRA and the military programs several billions of dollars have been made available to the peoples of the liberated areas for food, clothing, medicine, and other essential supplies. Great progress had been made in these countries in their struggles to return to a normal life. The United States can be justly proud of the part it has played in helping these millions of unfortunate people to get back on their feet. Yet the task is not quite finished. The assistance still required is small relative to that already given, but without it many of these people will perish by starvation and millions will be seriously undernourished. We cannot hope to achieve permanent security and prosperity in a world where such conditions exist. Even with the minimum of assistance which has been planned, the peoples involved will still have barely enough to eat.

The UNRRA pipelines soon will run dry. The great bulk of UNRRA supplies will have been shipped to Europe by the end of March and shipments will practically cease during April.

¹ Statement made before the Committee on Foreign Affairs of the House of Representatives on Feb. 25, 1947, and released to the press by that committee on the same date.

The committee is, I am sure, aware of the position taken by the Department of State and the President regarding post-UNRRA relief. It has not seemed wise or proper to meet the remaining needs through an international agency. Instead it is believed that the problem which remains can best be handled directly between the individual contributing countries and the recipient countries. The Secretariat of the United Nations will be useful as a clearing point for the exchange of relevant information.

One of the major arguments advanced by the United States representatives in making clear this position regarding relief in 1947 was that the problem, although of utmost urgency and seriousness, was not of the magnitude of past years and could be handled more efficiently and expeditiously without the cumbersome mechanism of an international relief agency.

That argument is still valid. Some of the UNRRA countries no longer require free assistance; others, not as fortunate, need relatively small amounts of additional assistance to carry them through another year. Thereafter, it is expected that they will be able to stand on their own feet. In addition we feel that we can more effectively adapt our program to meet changing needs and can maintain better supervision over the use of our funds and supplies by dealing directly with the countries needing assistance.

2. Relief Needs in 1947

The State Department estimates that the mini-

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minimum relief requirements for the calendar year 1947 of needy countries amount to about \$610,000,000 exclusive of remaining UNRRA shipments. The following European countries appear to have need of outside assistance: Austria, Greece, Hungary, Italy, and Poland. It is anticipated also that China may have emergency needs for food imports to prevent suffering and starvation in certain areas and that some financial assistance may be required for this purpose.

Relief needs have been calculated as that part of a country's minimum import needs which cannot be financed out of its own resources, including current earnings of foreign exchange and existing and anticipated foreign loans and credits. The minimum import needs have been determined on the basis of the definition proposed by the United States representative and adopted by the General Assembly of the United Nations, namely: "imports required to provide the basic essentials of life and to prevent economic retrogression which threatens the supply of these basic essentials." In making our estimates we have included food imports which, together with the quantity locally produced, would give urban consumers a diet of an average of from 2,000 to 2,200 calories per day. This compares with 3,400 calories in the United States. Imports of raw materials, fuel, and industrial supplies, in amounts sufficient to maintain the production of essential goods and to prevent economic retrogression from approximately present levels, have also been included in the calculations. To the extent that food and other relief supplies are furnished by the United States and other contributors the foreign-exchange resources of the needy countries will be freed for the procurement of other imports included in the list of minimum needs.

The need for assistance in food imports is particularly acute, in most of the areas involved, during the spring and early summer months prior to the harvests, and suffering and a serious economic setback will occur if help is delayed. On the other hand, if sufficient assistance is provided promptly there is every reason for anticipating that, with the possible exception of Austria, these countries will not need further free relief after 1947. In the case of Austria some further help, although on a reduced scale, will probably be needed during the calendar year 1948.

3. Contributions To Meet Need

The President has recommended that the Congress appropriate \$350,000,000 as the United States contribution to help meet these needs. This sum represents, in our opinion, our fair share of the total requirement, bearing in mind our capacity in relation to that of other supplying countries. It is 57 percent of the estimated need, compared with our UNRRA proportion of 72 percent. The British Government has already announced a program for assistance to Austria amounting to \$40,000,000 and is currently considering what assistance can be rendered to other countries. Other governments are likewise studying the matter at this time. We are hopeful that through the efforts of all governments which are in a position to help, the minimum needs will be met.

I should like to emphasize at this point what we consider to be a fundamental principle—that is, that the total amount we would allocate to any country not be determined finally at this time. We should avoid a situation where any country might assume that it had a vested interest or right to a particular amount of money. We found in the case of UNRRA that, whenever an amount was allocated even on a tentative basis to a recipient country, any attempt to reduce it in order to take account of changing needs caused resentment and consequent embarrassment. In making estimates of relief requirements we must necessarily make assumptions regarding future crop and weather conditions, export possibilities, the probability of credits and loans from private or public banking institutions, and many other factors which are not susceptible of definite determination at this time. Emergencies may arise requiring an increase in present estimates for some countries, whereas in others recovery may occur at a more rapid rate than we now anticipate. Furthermore, the assistance which will be provided to each of the countries by other contributors must be considered in determining how our funds should be allocated. We are not now fully informed in regard to this matter and should be in a position to adjust our program in collaboration with other contributors to prevent duplication of effort.

4. Method of Operation

The resolution under consideration provides that the control of the program remain firmly in

American hands and that this control be exercised to the end that these supplies be shipped where they are needed and that they are used within the receiving countries in a manner consistent with the purposes of the resolution. We would also take steps to assure that the people of the countries receiving our help would be fully informed as to our interest in their welfare and the extent and nature of our contribution. It is our intention to limit the items which would be procured with our funds to a few basic essentials, primarily food, medical supplies, seeds, and fertilizers. We might also find it necessary in some cases to include such things as clothing or raw materials for the production of clothing, fuel, and similar basic supplies. We would not attempt to provide machinery and equipment for rehabilitation purposes. UNRRA has already imported those items of this nature which were needed for the resumption of basic economic activities after the dislocation and destruction caused by the war. Further reconstruction and development of the productive and transport facilities of these countries should be provided through loans from the International Bank and other sources.

If this program is approved by the Congress we plan to reach an agreement with each recipient government regarding all necessary aspects of the operation. Such an agreement would cover the methods of procuring, shipping, and accounting for supplies, the right of observation by our representatives in the country, and freedom to report (without censorship) by the press and radio. We would also require guaranties that not only our supplies but all similar supplies produced locally or imported from other sources will be used to meet the needs of the people without discrimination on political or racial grounds. The agreement would also prescribe conditions governing the use to be made of local funds arising from the sale of supplies to those people who can afford to pay for them.

After conclusion of such an agreement we would approve from time to time target programs covering the type and amount of commodities which could be procured over say a two- or three-month period. The recipient government would then be authorized to procure these goods either through commercial channels or the appropriate govern-

ment procurement agency, and to arrange for their shipment. Full reports, including copies of contracts, invoices, and shipping documents, would be made available to us. As funds are needed to meet accruing obligations we would transfer cash to the recipient government to be set up in a special account.

We would maintain a small staff in the State Department which would make the necessary arrangements with the recipient government, would keep closely informed in regard to all procurement and shipping activities, and would receive and analyze reports from our missions in the recipient countries regarding current relief needs and compliance with the agreements. We also plan to attach to the United States Embassy in each of the recipient countries a small, well-qualified staff. These persons would supplement the work of the Embassy staff in maintaining controls in the country, observing the relief program, and reporting to the Ambassador and the Department in regard to the progress of the distribution of our supplies and others of similar types in the country, the extent and nature of relief needs, and the effective utilization of locally produced supplies.

5. Conclusion

I have already pointed out that the immediate problem is to maintain the flow of relief supplies. To stop that flow would be disastrous; to interrupt it would be almost equally disastrous. If we fail to provide the relief now when it is needed, much of the humanitarian work heretofore done by our Government and others will be undermined, much suffering and economic deterioration will undoubtedly occur, with political and economic consequences to the rest of the world, ourselves included, not pleasant to contemplate. The President stated the problem clearly when he said in transmitting this request to the Congress:

"The United States, in keeping with our traditions of immediate and wholehearted response to human need, has stood in the forefront of those who have checked the forces of starvation, disease, suffering, and chaos which threatened to engulf the world in the wake of the war. The task is nearly finished. I urge the Congress to act promptly to insure that we do not stop short of the goal; that we do not endanger the permanence of the gains we have helped to achieve."²

² BULLETIN of Mar. 2, 1947, p. 395.

Decartelization Law for United States Zone in Germany

[Released to the press February 27]

United States and United Kingdom decartelization laws became effective in the respective zones of Germany on February 12, 1947.

The United States law provides for the prohibition of restrictive and monopolistic enterprises and practices, and permits Military Government to take the following appropriate steps to eliminate prohibited enterprises or activities:

1. The elimination of corporate entities.
2. The redistribution and removal of property, investments, and other assets.
3. The cancellation of obligations of cartels, syndicates, trusts, combines, or other organizations of a monopolistic or restrictive character.

German participation in international cartels is specifically prohibited.

The text of the decartelization law follows:

UNITED STATES ZONE AND LAND BREMEN LAW No. 56

Prohibition of Excessive Concentration of German Economic Power

This law is enacted, in accordance with paragraph 12 of the Potsdam Agreement, in order: (i) to prevent Germany from endangering the safety of her neighbors and again constituting a threat to international peace, (ii) to destroy Germany's economic potential to wage war, (iii) to insure that measures taken for Germany's reconstruction are consistent with peaceful and democratic purposes, (iv) to lay the groundwork for building a healthy and democratic German economy.

To this end it is desirable that the German economy be reorganized and that concentrations of economic power as exemplified, in particular, by cartels, syndicates, trusts, combines, and other types of monopolistic or restrictive arrangements which could be used by Germany as instruments of political or economic aggression, be eliminated at the earliest practicable date. It is likewise desirable to prevent Germany from using international

cartels and similar international arrangements in the same manner.

It is therefore ordered as follows:

Article 1. Prohibition of Restrictive and Monopolistic Enterprise and Practices

1. Excessive concentrations of German economic power, whether within or without Germany and whatever their form or character, insofar as such concentrations or any part or activity thereof are subject to the jurisdiction of Military Government, are prohibited, their activities are declared illegal and they shall be eliminated, except as hereinafter provided in Article III.

2. Cartels, combines, syndicates, trusts, associations or any other form of understanding or concerted undertaking between persons, which have the purpose or effect of restraining, or of fostering monopolistic control of, domestic or international trade or other economic activity, or of restricting access to domestic or international markets are hereby declared to be excessive concentrations of economic power within the purview of this law.

3. All economic enterprises having their headquarters located in the United States Zone or (Land Bremen) and employing, in Germany on the effective date of this law, or thereafter, directly or indirectly, more than 10,000 persons shall be examined as *prima facie* constituting excessive concentrations of economic power, and shall be dealt with in accordance with the provisions of this law if Military Government or its designated agency determines that these enterprises do, in fact, constitute excessive concentrations of economic power provided, however, that when such economic enterprises are located entirely within the United States Zone or (Land Bremen) on the effective date of this law, or thereafter, they shall be dealt with in accordance with the provisions of this law as excessive concentrations of economic power unless their continuance is approved by Military Government.

4. It shall be the duty of such agency as Military Government shall designate for the purpose, to determine the general or special circumstances under which any enterprise or activity, not included within the definitions set out in paragraphs 2 and

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3 above, but whose character or activities are deemed objectionable, shall be considered to constitute an excessive concentration of economic power. In making such determination, consideration shall be given to the following factors:

- (1) The percentage of the total German production or other economic activity in the field in which the enterprise operates which is produced or controlled by such enterprise;
- (2) The asset value of the enterprise and its annual volume of business;
- (3) The number of persons directly or indirectly employed by the enterprise;
- (4) The character of the production and the nature of the activity of the enterprise;
- (5) The nature and extent of the participation of the enterprise in any contract, agreement, combination, practice, or other arrangement or relationship of a restrictive or monopolistic character, such as is referred to in paragraph 2 of this article, or which tends to create special privileges in the purchase or sale of materials, to restrict production or distribution, to fix prices, or to allocate business or sales territories, or which provides for the exclusive exchange of patents or technical information;
- (6) Any grouping of enterprises or activities of similar or dissimilar character or covering distinct stages of production.

Article II. Prohibition of German Participation in International Cartels

5. Participation, directly or indirectly by any German person within the jurisdiction of Military Government in any cartel, combination, enterprise, activity or relationship which has the purpose or the effect of restraining international trade or other economic activity is hereby declared illegal and is prohibited. This provision shall not be construed, however, to prohibit ordinary agency agreements and transactions of purchase and sale which do not have this purpose or effect.

Article III. Exemptions

6. The agency designated by Military Government to enforce this law will consider, and in approved cases, grant exemptions in respect to any agreement, arrangement, act or purpose otherwise prohibited by this law, if it is considered that the character or activities of the enterprise under review:

- (a) Are not repugnant to the purposes of the law; or
- (b) Are required to further the declared objectives of Military Government.

Article IV. Powers and Duties of the Implementing Agency

7. The agency designated by Military Government to enforce this law will take such action in regard to the elimination of enterprises or activities prohibited by this law as it finds appropriate to accomplish the purposes thereof, including the elimination of corporate entities, the redistribution and removal of property, investments and other assets and the cancellation of obligations of cartels, syndicates, trusts, combines or other organizations of a monopolistic or restrictive character; and shall to the extent appropriate to carry out the purposes of this law have the power to:

- (a) Issue and enforce such rules, regulations, orders, directives, and definitions as it may deem appropriate;
- (b) Determine the principles, plans and procedure for the elimination of prohibited enterprises;
- (c) Consider reports and proposed plans for elimination of enterprises and activities prohibited by this law and for the establishment of deconcentrated or reorganized production units;
- (d) Investigate, collect and compile information concerning the properties, products, ownership, management, control, organization, business, and business conduct of any person or enterprise and its relation to other persons or enterprises wherever situated;
- (e) Require the compilation and submission of information, and the keeping of records, seize or require the production of records, books of account, contracts, agreements, correspondence, or papers; require the attendance and testimony of witnesses under oath and the production of evidence;
- (f) Seize, hold or require the conveyance of property; direct the termination or dissolution of any contract, enterprise, arrangement or relationship; and take such other measures as it may deem appropriate and consistent with the provisions of this law;
- (g) Require enterprises subject to the prohibitions of Article I to submit plans for the disposal of assets or other appropriate action for the

purpose of compliance with this law; approve such plans; and prohibit unauthorized transfers of property by such enterprises prior to such approval.

8. The agency referred to in paragraph 7 above may delegate to appropriate German governmental agencies such powers, and may issue such directives with respect thereto, as it may deem necessary for the enforcement and application of this law.

Article V. Definitions

9. As used in this law:

(a) The term "person" shall mean any natural or juristic person existing under public or private law, including associations, corporations, partnerships, or governmental agencies;

(b) The terms "enterprise", "activity" and "relationship" shall mean every kind of economic, business or financial instrumentality, activity or person, whether in the form of a cartel, trust, combine, stock company, syndicate, concern, aggregate of firms or bodies, or otherwise and whether related by agreement, combination, association or understanding;

(c) The expression "cartels, combines, syndicates, trusts, associations or any other form of understanding or concerted undertaking between persons, which have the purpose or effect of restraining or fostering monopolistic control of, domestic or international trade or other economic activity, or restricting access to domestic or international markets" shall include the following:

(1) The fixing of prices or the terms or conditions in the purchase or sale of any product or thing;

(2) The exclusion of any person from any territorial market or field of business activity, the allocation of customers, or the fixing of sales or purchase quotas, except insofar as such arrangements are not designed to reduce competition and are merely *bona fide* marketing arrangements between a particular enterprise and its distributing agents with respect to its products;

(3) The allocation of distributors or the allocation of products among customers;

(4) The boycott of, or discrimination against, any manufacturer, distributor, consumer, or other person for the purpose of eliminating or preventing competition;

(5) The limitation of production or the fixing of production quotas;

(6) The suppression of technology or invention, whether patented or unpatented;

(7) The devising of any arrangement, in connection with the exploitation of patents or other similar exclusive privileges, so as to extend the monopoly or privilege to matters not contained in the authorized grant;

(d) The terms "ownership" and "control" shall include every kind of economic, business, or financial relationship which has the effect of establishing common or concerted action among two or more business units, whether in the form of majority or minority stock participations, direct or indirect power to vote shares, ownership of certificates or other evidences of indebtedness carrying management privileges, personal relationships such as common offices or directorships, contractual arrangements or agreements, or any other relationship having the like effect.

(e) The term "subject to the jurisdiction of Military Government" and "U.S. Zone" shall include, in addition to the U.S. Zone of Germany, Land Bremen.

Article VI. Conflicting Laws Repealed

10. This law, and all regulations, orders and directives issued under it, shall be deemed to repeal, alter, amend or supersede all provisions of German law inconsistent therewith.

Article VII. Penalties

11. Any judicial proceedings under this law shall be taken before either German courts or Military Government courts as Military Government shall decide.

12. Any person violating, or evading, or attempting to violate or evade, or procuring the violation of any provision of this law or of any regulation, order or directive issued thereunder shall upon conviction, be liable to a fine of not more than RM 200,000 or to imprisonment for not more than ten (10) years, or both.

Article VIII. Effective Date

13. This law shall become effective on 12 February 1947, provided, however, that for a period of six months thereafter, the continuation of acts or condition prohibited under paragraph 3 of Article I shall not subject the violator to criminal prosecution. If it appears to the satisfaction of the agency designated by Military Government that, in the case of a particular enterprise, a longer

period is required to effect compliance with this law, said period of six months may be extended as may be necessary.

REGULATION NO. 1

I. Purpose of This Regulation

This regulation is issued under and in amplification of Law No. 56 and shall become effective on 12 February 1947. It has the purpose of:

- (a) Defining the procedure to be adopted by enterprises affected by Law No. 56 (hereinafter called "subject" enterprises);
- (b) Defining the procedure which shall govern applications for exemptions from the operation of the law and requests for interpretation.
- (c) Defining the rights of subject enterprises to appeal.

II. Exemptions

A. Exemption is hereby granted to the Reichsbahn, the Reichspost, and to public utilities in the U.S. Zone, except that Military Government or its designated agency may require them to submit reports and any other relevant information.

B. Exemption is also granted to enterprises which are taken into control by Military Government, except that Military Government or its designated agency may call upon the controlling authorities to submit reports and any other relevant information. At the effective date of this regulation these enterprises comprise I. G. Farbenindustrie—taken into control under General Order No. 2 pursuant to Military Government Law No. 52.

III. Application of This Regulation

A. This regulation applies to every German economic enterprise falling within the scope of Article I and II of Law No. 56 and subject to the jurisdiction of United States Military Government.

B. In every case the size and character of the whole enterprise whether totally within the jurisdiction of United States Military Government or not, will be considered in determining the standing of the enterprise in relation to Law No. 56.

IV. Persons Responsible for Compliance With This Regulation

Owners, officers, directors and trustees of subject enterprises shall be responsible for compliance

with this regulation. If such owners, officers and directors are outside the jurisdiction of the United States Military Government, the German managers and individuals exercising supervision of the property of the subject enterprise which is located in the U.S. Zone shall be responsible for such compliance.

V. Procedure To Be Followed by Subject Enterprises

A. Every subject enterprise shall submit reports in triplicate to the Chief of the Decartelization Branch, Economics Division, OMGUS, Berlin, on or before 1 April 1947, setting out the following information:

- (a) A list of all properties and assets, both tangible and intangible, which the reporting enterprise owned or controlled at the effective date of Law No. 56;
- (b) A statement showing all cartels, agreements and practices prohibited by Law No. 56, in which the subject enterprise has been a participant since 1 January 1938;
- (c) A statement of the names, addresses and holdings of all stockholders of record, including a statement of all beneficial owners known;
- (d) A copy of the most recent balance sheet, copy of income and profit and loss statements for the latest twelve-month period in respect of which such statements are available.
- (e) A statement of the highest number of persons employed by the enterprise at any time during the calendar year preceding the date of its report.

B. Every enterprise which shall hereafter become subject to Law No. 56 either by increase in size or by the nature of its relationship or activities, shall, immediately upon such development, comply with the provisions of this regulation.

C. Where there is doubt as to whether an enterprise is subject to Law No. 56, the report will be completed and returned with a memorandum requesting a ruling on any doubtful points.

D. Where an enterprise falls within the scope of Articles I and II of Law No. 56, but it is contended that exemption from the operation of the law should be granted, the report will be completed and submitted with a memorandum requesting exemption and setting out the grounds therefor.

E. The designated agency of Military Govern-

ment may, in pursuance of Article I, paragraph 4, of Law No. 56, require any German firm within its jurisdiction whose activities appear objectionable, regardless of its size and character, to render a report within a stated period.

VI. Enforcement Provisions

A. The designated agency of Military Government will scrutinize all reports received and will notify each enterprise, according to its findings, whether it:

- (a) Comes within the scope and must comply with Law No. 56; or
- (b) Is exempt from the operation of this law.

B. Subject enterprises which receive orders to decentralize or otherwise comply with Law No. 56 shall, within three (3) calendar months of the issuance of such orders, prepare and submit a plan for dispersing their assets or otherwise complying with the law, and on approval or amendment of this plan by the designated agency of Military Government, shall proceed to carry it out within the prescribed time limit.

VII. Approval of Proposed Sales

No enterprise which comes within the purview of paragraph 3, Article I, of Law No. 56, shall subsequent to the effective date of Law No. 56, dispose of any of its capital assets by sale or otherwise without the express written approval of Military Government or its designated agency.

VIII. Hearings and Appeals

A. All evidence relied upon by the subject enterprise in support of its claim to exemption must be submitted to the agency designated by Military Government for the purpose of determining whether the enterprise comes within the scope of Law No. 56 or whether it is to be exempt from the operation of such Law. Oral argument before such agency will be permitted only when it is established that the enterprise cannot adequately present its case in writing. A request therefore must be filed when the claim for exemption is submitted in writing. Presentation of new or additional evidence will not be permitted at the hearing of such oral argument. The decision of such agency shall be in writing and a copy thereof shall be transmitted promptly to the subject enterprise.

B. An appeal to such body as shall be designated

by Military Government may be taken by the aggrieved person from the decision of the agency within fourteen (14) days after the receipt of a copy thereof. If the appeal is found by the appellate body to have been taken without good cause and solely for purposes of delay, it shall be dismissed forthwith and the appellant shall thereupon become liable to the penalties prescribed in Law No. 56.

IX. Penalties

Failure to comply with the provisions of this regulation or of any order or directive issued thereunder or any willful falsification of information required to be submitted thereby shall be punishable under Article VII of Law No. 56.

Appointment of Members to Military Tribunal

On February 21, 1947, by Executive Order 9827 (12 *Federal Register* 1215), the following persons were appointed to serve on military tribunals established by the military governor for the United States zone of occupation within Germany:

Carrington Tanner Marshall, formerly Chief Justice of the Supreme Court of the State of Ohio; James Tenney Brand, Associate Justice of the Supreme Court of the State of Oregon; and Malory B. Blair, formerly Associate Justice, Court of Civil Appeals, State of Texas, as the members; and Justin Woodward Harding, of the bar of the State of Ohio, as the alternate member.

Publication of Official Text of Nürnberg Verdict

The complete official text of the verdict of the International Military Tribunal at Nürnberg, which has not previously been available to the public, was published on February 25 for general distribution.

Copies of this historic document, which marked the culmination of more than ten months of trial of the major Nazi war criminals, may be obtained from the Superintendent of Documents, Government Printing Office, Washington 25, D.C., at \$1.25 in the clothbound edition, or at \$.45 in the paper pamphlet edition.

Postal Regulations for Printed Matter to U.S. and British Zones in Germany

On February 4, 1947 the Post Office Department issued the following regulations:

"Effective February 4, 1947, non-commercial printed matter up to a weight limit of four pounds six ounces, when sent as gift, may be accepted for mailing to the United States Zones of Germany, excluding Berlin.

"The term 'non-commercial printed matter' may be interpreted as referring to newspapers, news and fashion magazines, books on any subject, sheet music, and periodicals devoted to special fields of interest such as art, medicine, literature and similar subjects. Individuals in the United States may direct publishers to mail gift printed matter. It is not permissible, however, to send mail order catalogues or other printed matter of a commercial nature.

"The covers or wrappers of printed matter addressed to the American Zone of Germany must be plainly marked 'Non-Commercial Printed Matter,' and a list of the articles enclosed must be plainly endorsed on or securely attached to the cover."

Supplementary regulations issued on February 12 and effective February 15, 1947, provide that non-commercial printed matter may be accepted for mailing to the British zone of Germany under the same conditions.

Abolishment of Board of War Communications: Executive Order 9831¹

By virtue of the authority vested in me by the Constitution and statutes, including the Communications Act of 1934 (48 Stat. 1104, as amended; 47 U. S. C. 606), and as President of the United States, and in the interest of the internal manage-

¹ 12 Federal Register 1363.

² BULLETIN of Mar. 2, 1947, p. 396.

³ As to transportation and other facilities to be made available to enable the Rumanian Red Cross, under the supervision of the American Red Cross, to distribute 4,500 tons of ten-in-one rations and 2,500 tons of beans to the starving people of Moldavia without charge and with guaranties against discrimination on political, racial, religious, or social grounds.

ment of the Government, it is hereby ordered as follows:

1. The Board of War Communications, established as the Defense Communications Board by Executive Order No. 8546 of September 24, 1940, is abolished, and all property and records thereof are transferred to the Federal Communications Commission.

2. Executive Orders Nos. 8546 of September 24, 1940, 8960 of December 6, 1941, 8964 of December 10, 1941, 9089 of March 6, 1942, and 9183 of June 15, 1942, are revoked.

HARRY S. TRUMAN

THE WHITE HOUSE

February 24, 1947

Rumania Accepts U.S. Offer of Food Relief

[Released to the press February 25]

The Rumanian Government has now replied to communications addressed to it by the United States representative in Rumania concerning assurances desired in connection with American steps to alleviate starvation conditions in that country, which were announced by the President on February 17.²

The Rumanian Government expresses its gratitude to the United States for the assistance the American people are extending to the Rumanian people at this difficult time. The Rumanian Government states that in accordance with the specifications set forth³ urgent steps are being taken in order that the mission of the American Red Cross in Rumania may be accomplished. It is understood that the vessel carrying the 7,000 tons of relief food is already in the Mediterranean en route to Constantza.

As regards additional food supplies in the form of cereal grains for purchase by Rumania, the Rumanian Government gives assurances that, so long as the present famine conditions continue, Rumania will not export, or permit the export from Rumania of, any cereal grain in payment of reparations or of grain loans from other countries, for commercial purposes or for any other reason. The Rumanian Government will also hold at the dis-

posals of United States representatives in Rumania all data and information, as well as daily survey reports, regarding this distribution of grain originating in the United States, under a procedure established by mutual agreement; and distribution of such grain will likewise be effected without any political, social, racial, or religious discrimination.

U.S.-French Discussions on Bilateral Patent Agreement

[Released to the press February 25]

The Department of State announced on February 25 that a delegation of French officials headed by M. E. Mathon, Director of the Office of Industrial Property (Patent Office), will arrive in Washington the week of March 10 for informal discussions looking to the possibility of a bilateral patent agreement.

The French Delegation, which will include several officials of the French Foreign Office, will meet with U.S. Commissioner of Patents Caspar W. Ooms and members of the Department of State.

Topics of discussion will include the rights of nationals of France and the United States to take out patents in each other's countries, a need arising out of the long wartime interruption of patent activity. It is anticipated that matters of mutual interest in the field of trade-marks also will be discussed.

The Department pointed out that the Governments of France and the United States always have maintained the closest and most cordial relations in the field of patents and trade-marks.

U.S. Reiterates Non-Political Concern in Palestine Situation

[Released to the press by the White House February 26]

The impression that has arisen from the debate in the British Parliament on February 25 that America's interest in Palestine and the settlement of Jews there is motivated by partisan and local politics is most unfortunate and misleading.

The President's statement of October 4, 1946,¹ which was referred to in that debate, merely reaffirmed the attitude toward Palestine and Jewish immigration into Palestine which the United States Government has publicly expressed since the summer of 1945. This attitude was and is

based upon the desire of the President to advance a just solution of the Palestine problem. Our position on this subject was communicated to the British Government by the President in his letter to Prime Minister Attlee on August 31, 1945, which was publicly released by the President on November 13, 1945,² when he announced the establishment of the joint Anglo-American Committee of Inquiry. The statement of October 4, 1946 reiterated this Government's position, which was already fully known to all parties to the Palestine negotiations.

America's interest in Palestine is of long and continuing standing. It is a deep and abiding interest shared by our people without regard to their political affiliation.

United States Granted Fifth Freedom Air Rights at Ceylon

[Released to the press February 25]

A request of the Government of the United States for Fifth Freedom air rights at Ceylon on an interim basis has been approved by the British Ministry of Civil Aviation, the Department of State announced on February 25.

The Fifth Freedom rights were granted on an interim basis pending a decision as to the ultimate constitutional position of Ceylon. It is understood that the rights will be valid until the United States Government concludes a separate air agreement with the Ceylon Government.

Under the International Air Transport Agreement, Fifth Freedom rights are defined as follows:

"The privilege to take on passengers, mail and cargo destined for the territory of any other contracting State and the privilege to put down passengers, mail and cargo coming from any such territory."

Bilateral air-transport agreements granting full Fifth Freedom rights have been formally concluded with the following nations: Australia, Belgium, Brazil, Czechoslovakia, Denmark, Egypt, France, Greece, Iceland, India, Ireland, Lebanon, New Zealand, Norway, the Philippines, Portugal, Spain, Sweden, Switzerland, Turkey, the United

¹ BULLETIN of Oct. 13, 1946, p. 669.

² BULLETIN of Nov. 18, 1945, p. 790.

Kingdom, Uruguay, China, Peru, and Ecuador.

Interim Fifth Freedom rights are in effect with Newfoundland pending the settlement of its constitutional status.

U.S. Interest in Self-Government for India

[Released to the press February 25]

Relations between the United States and India have assumed a new significance with the arrival in this country on February 20 of India's Ambassador-designate, Asaf Ali, and the declaration by the British Prime Minister on the same day that the British Government would transfer power "into responsible Indian hands by a date not later than June 1948".

In recent official statements this Government has made clear its interest in India's peaceful transition to full self-government. At the same time it has welcomed the persistent and sincere efforts of the British Government to bring the major Indian political parties together within the framework of a constitutional plan that would lead to the early establishment of a federal union for the 400,000,000 people of India. We continue to believe that this plan offers a just basis for cooperation.

It would be difficult to exaggerate the magnitude of the task faced by the Indian leaders or the heavy responsibilities that rest upon them as they endeavor to bring freedom, political stability, and economic progress to such a large segment of the human race.

This Government fully appreciates the grave character of the British decision to set a definite and early date for the completion of the process of transferring power to responsible Indian hands. It profoundly hopes that Indian political leadership will accept this clear-cut challenge and proceed to break the impasse between the Congress and the Muslim League. The Indian internal crisis threatens to prevent India from making its rightful and honorable contribution to the maintenance of international peace and prosperity. An India torn by civil strife would not only find it difficult to make this positive and greatly needed contribution but could conceivably become the source of new international tensions in a world only now beginning to grope its way back to peace.

Letters of Credence

India

The newly appointed Ambassador of India, Asaf Ali, presented his credentials to the President on February 28. For text of the Ambassador's remarks, and for the President's reply, see Department of State press release 155 of February 28, 1947.

Air-Transport Agreement With Siam

An air-transport agreement between the United States and Siam was signed in Bangkok on February 26 at 10 a.m., Bangkok time. Minister Edwin F. Stanton signed the agreement on behalf of the United States Government. Prime Minister T. Thamrong Nawasawat, who is concurrently Foreign Minister, signed on behalf of the Government of the Kingdom of Siam.

The text of the agreement is similar to several of the bilateral air-transport agreements recently concluded between the United States and foreign countries.

The agreement will permit operations through Bangkok in both directions by Pan American Airways on its certificated routes from the United States and India to Saigon, Indochina, and beyond to China and the Philippines and across the Pacific to the West Coast. A Siamese airline is authorized to serve a route from Siam to Honolulu and Los Angeles.¹

John J. McCloy Elected President of International Bank

The executive directors of the International Bank for Reconstruction and Development announced on February 28 the election of John J. McCloy as president of the International Bank. Mr. McCloy will assume his duties as president of the Bank on March 17, 1947.

¹ For text of the agreement see Department of State press release 152 of Feb. 27, 1947.

Philippine Corporations and Shareholders Required To Present Records

[Released to the press February 28]

Act number 62 of the Philippine Republic, enacted October 17, 1946, and the Regulations issued pursuant thereto on November 29, 1946, require holders of securities of Philippine corporations or other business associations to file claims and present evidence of ownership within a period to be fixed by the board of directors of each corporation, this period to be not less than six months but not to extend beyond June 30, 1947. The Philippine Securities and Exchange Commission may "upon proper cause shown . . . in general or specific cases" extend this period for up to six months. The proof of ownership is to be presented at the principal office of the corporation or association involved.

The law and regulations are designed primarily to enable Philippine business entities to reestablish their stock registries and other records, many of which were lost or destroyed during the war. The term "securities", however, includes stocks, bonds, and shares in limited partnerships. It is intended to issue new securities to replace those now outstanding.

The law and regulations apply to all securities of corporations and other forms of associations that issued securities on or before March 1, 1945. The evidence to be presented by the security holder may be the "share certificates or bonds, receipts of payment on shares, deeds of transfer or sale, and other papers or documents evidencing and/or indicating title to the securities. Holders who have lost their certificates and/or other written evidence of ownership may present "affidavits of ownership" to be filed in triplicate, showing the following: (a) how, when, and where their certificates or other evidence of ownership were lost or destroyed; (b) the number of shares represented by such certificates or other evidence of ownership; (c) the serial number of each certificate, if known; (d) the name of the issuing corporation; (e) the amount paid on each certificate; (f) such other facts as will tend to establish title to the securities; and (g) that diligent efforts have been exerted to

locate the lost or destroyed certificates or other evidence of ownership.

Similar affidavits or other proof may be required of holders who have submitted other evidence not satisfactorily proving ownership of securities.

Security holders residing abroad may file claims through duly authorized attorneys-in-fact.

Upon receipt of "satisfactory proof of ownership" the organization that issued the security is required to issue a new certificate to the person who has established title thereto. However, if evidence of ownership was submitted in the form of an "affidavit of ownership", the issuing organization is required, prior to issuing a new certificate, to give public notice of the substance of the affidavit by advertising (at the expense of the claimant) once a week for three consecutive weeks in a newspaper of general circulation at the place where its principal office is located; if no newspaper is published there, the advertisement is to be placed in a newspaper of general circulation in the Philippines. If no adverse claim is presented within one month after the date of the last publication, the issuing organization is required to issue a new certificate to the claimant. Prior to delivery of the new certificate, however, the issuing company may require the claimant to post a bond or other security running for one year. The claimant may avoid posting bond by leaving the new security in possession of the issuing company during the year.

Adverse claimants or other persons in interest are given one year from the date of recognition of a claim for ownership to bring action against the issuing organization to contest such recognition, except where fraud or bad faith is alleged. This statute of limitations applies only to actions against the issuing organization and does not affect the rights of redress an adverse claimant may have against a successful claimant.

Within 15 days after expiration of the period established for submitting proof of ownership, all organizations concerned are required to submit a detailed report to the Securities and Exchange Commission. Certificates covering securities for which no claim or evidence of ownership was sub-

mitted, or for which evidence of ownership was not satisfactorily established, are required to be issued in the name of and to be delivered to the Securities and Exchange Commission. The Commission is required to hold them "in trust" for three years during which claimants thereto may present proof of ownership in accordance with the same standard established for presentation to the issuing organizations. At the end of the three-year period the securities as to which no claim has been filed nor satisfactory proof of ownership submitted, and which are not the subject of litigation, will escheat to the Philippine Government.

Act number 62 also authorizes the Securities and Exchange Commission to establish a procedure whereby concerns whose articles of incorporation and by-laws or articles of copartnership are totally or partially lost or destroyed are to reconstruct them. The organizations affected must comply, or make a "reasonable effort" to comply, with the procedure established by the Securities and Exchange Commission, within a period of two years from October 17, 1946. Failure to do this will result in the corporations' loss of all rights, powers, and privileges afforded by their past registration.

In essence the regulations of the Securities and Exchange Commission require the organizations concerned to reconstruct their articles of incorporation and by-laws to the best of their ability, and to submit them, with certain other data, in the form of a petition to the Commission. This petition is

to be considered by the Commission at a public hearing, where any person may raise objections to the proposed reconstructed records. A fee is charged by the Commission for its participation in this procedure.

Organizations whose records are intact are required to furnish the Commission with two certified copies of their articles of incorporation and by-laws, or articles of copartnership, and of all amendments thereto, together with certain other information. Additional provisions apply to corporations organized to engage in mining, and those organized during the Japanese occupation.

Letters of Credence

Colombia

The newly appointed Ambassador of Colombia, Gonzalo Restrepo Jaramillo, presented his credentials to the President on February 25. For the translation of the Ambassador's remarks and for the President's reply, see Department of State press release 141 of February 25.

Dominican Republic

The newly appointed Ambassador of the Dominican Republic, Julio Ortega Frier, presented his credentials to the President on February 27. For the translation of the Ambassador's remarks and for the President's reply, see Department of State press release 151 of February 27.

Report of the Air Coordinating Committee

LETTER OF TRANSMITTAL FROM THE PRESIDENT TO CONGRESS

To the Congress of the United States:

I transmit to the Congress, for its information and consideration, the First Report of the Air Coordinating Committee, for the calendar year 1946.¹

The Committee was established by Executive Order on September 19, 1946, in order to achieve full development and integration of United States aviation policies and activities, and includes representatives of the executive agencies primarily concerned with aviation. Through its Aviation

Industry Advisory Panel, the Committee draws upon the experience and the views of the air transport and aircraft manufacturing industry, of organized labor, and of other aviation interests.

It is my hope that the Report may prove useful to the Congress in its deliberations on aviation matters, which are of such great concern to our country's welfare.

HARRY S. TRUMAN

THE WHITE HOUSE
February 26, 1947

Department of State Bulletin

¹ Not printed.

Fire-Hose Concession Withdrawn From Trade Agreement With Canada

[Released to the press February 25]

The Department of State announced on February 25 that the President has issued a proclamation withdrawing the tariff concession on linen fire hose granted in the trade agreement with Canada. The duty on this product will accordingly return to the rate provided for in the Tariff Act of 1930.

This action was taken to alleviate injury threatening a domestic industry because of unforeseen and increased competition resulting from extension of the concession to countries other than Canada. The proclamation was issued under article XIV of the Canadian agreement, which provides that either Government has the right, after consultation with the other, to withdraw or modify a given concession if it is found that third countries are receiving major benefits from the concession and that imports are increased to such an extent as to threaten serious injury to domestic producers of the article in question. There are similar provisions in some other trade agreements.

After informal conferences and investigations held by the Committee for Reciprocity Information, the United States Government announced on January 10, 1947 that imports of linen fire hose were entering the country principally from countries other than Canada and were considerably higher in volume than they had been before the granting of the concession.¹ It was also stated at the same time that this Government proposed to withdraw the concession unless convincing reasons for not doing so were presented to the Committee for Reciprocity Information before January 30. No such reasons were offered. The Canadian Government has been consulted and has offered no objection to withdrawal of the concession.

The President's proclamation issued February 22, 1947 withdraws the tariff concession on "hose, suitable for conducting liquids or gases, wholly or in chief value of vegetable fiber" granted in item 1007 of schedule II of the trade agreement with Canada, signed November 17, 1938. Under the trade agreement the duty had been reduced to 10 cents a pound plus 7½ percent ad valorem. The duty on this product will now return to 19½ cents a pound plus 15 percent ad valorem, which is the rate provided for in the Tariff Act of 1930. Im-

ports entering the United States under this item are almost entirely of linen fire hose.

The text of the proclamation follows:

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, pursuant to the authority conferred by section 350(a) of the Tariff Act of 1930, as amended by the act of June 12, 1934 entitled "AN ACT To amend the Tariff Act of 1930" (48 Stat. 943), the period within which such authority may be exercised having been extended by joint resolution approved March 1, 1937 (50 Stat. 24), the President of the United States of America, through his duly empowered Plenipotentiary, entered into a trade agreement on November 17, 1938 (53 Stat. 2350) with His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of Canada, through his duly empowered Plenipotentiary, which trade agreement was proclaimed by the President on November 25, 1938 (53 Stat. 2348) and June 17, 1939 (53 Stat. 2394), acting pursuant to the authority conferred by the said section 350 (a);

WHEREAS article VII of the said agreement provides as follows (53 Stat. 2352):

"1. Articles the growth, produce or manufacture of Canada enumerated and described in Schedule II annexed to this Agreement shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth and provided for in the said Schedule, subject to the conditions therein set out. The said articles shall also be exempt from all other duties, taxes, fees, charges, or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the United States of America in force on the day of the signature of this Agreement.

"2. Schedule II shall have full force and effect as an integral part of this Agreement."

WHEREAS item 1007 of schedule II annexed to

¹ BULLETIN of Jan. 19, 1947, p. 137.

THE RECORD OF THE WEEK

the said agreement provides as follows (53 Stat. 2388) :

"United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
"1007	Hose, suitable for conducting liquids or gases, wholly or in chief value of vegetable fiber	10¢ per lb. and 7½ ad val.;"

WHEREAS article XIV of the said agreement provides as follows (53 Stat. 2354) :

"The Government of each country reserves the right to withdraw or to modify the concession granted on any article under this Agreement, or to impose quantitative regulations on the importation of any such article if, as the result of the extension of such concession to other foreign countries, such countries obtain the major benefit of the concession, and if in consequence imports of the article concerned increase to such an extent as to threaten serious injury to domestic producers: Provided, That before any action authorized by the foregoing reservation is taken, the Government proposing to take such action shall give notice in writing to the other Government of its intention to do so, and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action."

WHEREAS, as a result of the extension to other foreign countries of the concession on hose enumerated and described in the said item 1007 of Schedule II annexed to the said agreement, such countries have obtained the major benefit of the concession on the hose enumerated and described in the said item, and in consequence imports of said hose have increased to such an extent as to threaten serious injury to domestic producers;

WHEREAS notice in writing has been given, and an opportunity for consultation afforded, to the Government of Canada by the Government of the United States of America regarding its intention to withdraw the concession on the said articles;

WHEREAS the Government of Canada has signified its agreement with respect to such withdrawal;

AND WHEREAS the final sentence of said section

¹ Senate bill 568, and House bill 1819, 80th Cong.

350(a) authorizes the President of the United States of America to terminate in whole or in part the proclamation of the trade agreement entered into and proclaimed under said section 350(a) ;

Now, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, acting under the authority conferred by the said section 350(a) of the Tariff Act of 1930, as amended, do hereby proclaim that the proclamations of November 25, 1938 and June 17, 1939, in so far as they relate to hose enumerated and described in item 1007 of Schedule II of the said agreement, shall not be in effect after March 31, 1947, and that the provisions of paragraph 1007 of section 1 of the Tariff Act of 1930, as amended (46 Stat. 644), shall be in effect on and after April 1, 1947.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at Washington this twenty-second day of February in the year of our Lord one thousand nine hundred forty-seven, and of the Independence of the United States of America the one hundred seventy-first.

HARRY S. TRUMAN

By the President :

GEORGE C. MARSHALL
Secretary of State

Aid to Mexico in Fighting Foot-and-Mouth Disease

STATEMENT BY THE PRESIDENT

[Released to the press by the White House February 28]

Signing of this bill marks a new forward step in Western Hemisphere cooperation.¹ For many years two of the world's most devastating livestock diseases—foot-and-mouth disease and rinderpest—have increasingly plagued the New World. I am glad to support this worthy legislation which Congress has wisely and quickly enacted. It means that the United States now becomes the ally of Mexico in fighting off these highly infectious animal diseases, costly to livestock producers and consequently to the consumers of livestock products.

Department of State Bulletin

THE CONGRESS

Extension of Inter-American Coffee Agreement of November 28, 1940: Report to accompany S. Exec. B, 80th Cong., 1st sess. S. Exec. Rept. 1, 80th Cong., 1st sess. 7 pp.

Proceedings Against Gerhart Eisler: Report citing Gerhart Eisler. H. Rept. 43, 80th Cong. 4 pp.

Safety in Air Navigation: Preliminary Report of the Committee on Interstate and Foreign Commerce, House of Representatives, pursuant to Sec. 136 of the Legislative Reorganization Act 1946 (Public Law 601, 79th Cong.). H. Rept. 59, 80th Cong. 4 pp.

Recommendation for Repeal of Certain Temporary Statutes; Message from the President of the United States transmitting his recommendation for the repeal of certain temporary statutes still in effect by virtue of the emergencies proclaimed by the President in 1939 and 1941. H. Doc. 141, 80th Cong. 20 pp.

Estimates of Appropriation Submitted by Several Executive Departments and Independent Offices To Pay Damage Claims: Communication from the President of the United States transmitting estimates of appropriation submitted by the several executive departments and independent offices to pay claims for damages to or losses of privately owned property, in the sum of \$34,040.89, which have been considered and adjusted under the provisions of the act of December 28, 1922 (31 U.S.C. 215), and which require appropriations for their payment. H. Doc. 124, 80th Cong. 11 pp. [Department of State, p. 7.]

Investigation of Air Safety: Interim Report of the Committee on Interstate and Foreign Commerce, United States Senate, on S. 3, to provide for the training of air-traffic control-tower operators, S. 4, authorizing the advanced training in aeronautics of technical personnel of the Civil Aeronautics Administration, and S. 269, to create an independent air safety board. S. Rept. 36, 80th Cong. 17 pp.

Recommending Authorization for Relief Contribution for People of Liberated Countries: Message from the President of the United States transmitting his recommendation that the Congress authorize the appropriation of not to exceed \$350,000,000 to assist in completing the great task of bringing relief from the ravages of war to the people of the liberated countries. H. Doc. 144, 80th Cong. 2 pp.

Taxability of Gifts to the United Nations: Report to accompany H. J. Res. 121. S. Rept. 35, 80th Cong. 7 pp.

Presidential Terms of Office: Report to accompany H. J. Res. 27. S. Rept. 34, 80th Cong. 3 pp.

Recommending Congress Authorize the United States Participate as Member of the International Refugee Organization: Message from the President of the United States transmitting his recommendation that the Congress authorize the United States to participate as a member of the International Refugee Organization. H. Doc. 145, 80th Cong. 2 pp.

March 9, 1947

THE FOREIGN SERVICE

Christian M. Ravndal Appointed Deputy Director General of Foreign Service

The Department of State announced on February 26 the appointment of Christian M. Ravndal as Deputy Director General of the Foreign Service and Director of the Office of the Foreign Service.

Mr. Ravndal, a Foreign Service officer of class 1, who has been serving as Counselor of Legation at Stockholm, replaces Julian Harrington, who became Counselor of Embassy in Ottawa in January.

Confirmations

On February 21, 1947 the Senate confirmed the nomination of Josiah Marvel, Jr., to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

THE DEPARTMENT

Appointment of Officers

Olcott H. Deming as Executive Secretary, Secretariat of the Interdepartmental Committee on Scientific and Cultural Cooperation, effective January 26, 1947.

Eric C. Bellquist as Chief, Area Division I (Europe), effective February 17, 1947.

Howard Donovan as Chief, Division of Foreign Service Administration, effective February 17, 1947.

Fritz E. Oppenheimer as Special Assistant for German-Austrian Affairs, and Henry Ingraham as Special Assistant for Atomic Energy Matters, Office of the Legal Adviser, effective February 3, 1947.

Conrad E. Snow as Assistant Legal Adviser for Political Affairs; John B. Howard as Assistant Legal Adviser for International Organization Affairs; Benedict M. English as Assistant Legal Adviser for International Claims; Seymour J. Rubin as Assistant Legal Adviser for Economic Affairs; Lionel M. Summers as Assistant Legal Adviser for Administration and Foreign Service; Richard W. Flournoy as Assistant Legal Adviser for Special Problems; Thomas E. Bracken as Assistant Legal Adviser for Public Affairs; Raymond T. Yingling as Assistant Legal Adviser for Military Affairs and Occupied Areas; and Bryton Barron as Assistant for Treaty Affairs, all in the Office of the Legal Adviser, effective February 3, 1947.

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Contributors

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